Journal of Research and Development

A Multidisciplinary International Level

Referred and Double Blind Peer Reviewed, Open Access Journal

ISSN: 2230-9578 September - 2025 Volume-17 Issue-9(V)

Mob: +91-9552416001 Website: https://jrdrvb.org Chief Editor: Prof. Ramesh V. Bhole

MULTIDISCIPLINARY INTERNATIONAL JOURNAL

Website: https://jrdrvb.org

ISSN: 2230-9578
September - 2025
Volume-17 Issue-9 (V)

Please Get in Touch
Email: jrdrvb.org@gmail.com
Mob: +91-9552416001,+91- 8888454089

Journal of Research and Development
Peer Reviewed International, Open Access Journal.
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Journal of Research and Development

A Multidisciplinary International Double Blind Peer Reviewed Refereed International Research Journal

Volume-17, Issue-9(V)| September 2025
Publication Language – English, Hindi, Marathi and other Indian Languages
Periodicity of Publication- Monthly
Email: jrdrvb.org@gmail.com
Journal Website: https://jrdrvb.org

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Journal of Research and Development
Peer Reviewed International, Open Access Journal.
ISSN : 2230-9578 | Website: https://jrdrvb.org

JOURNAL PARTICULARS

Name of Journal	JOURNAL OF RESEARCH AND DEVELOPMENT
Frequency	Monthly : Jan to Dec (12 issues per year)
ISSN	2230-9578
Publisher	Dr. Ramesh V. Bhole
Chief Editor	Dr. Ramesh V. Bhole
Copy right	Journal of Research and Development
Starting Year	January 2010
Subject	Multi-Disciplinary
Review Process	Double Blind Peer
Language	English, Hindi, Marathi, and other Indian Constitutional Languages.
Publication Format	Print
Access	OPEN ACCESS
License	Creative Commons (CC BY-NC-SA 4.0)
Phone No.	+91 93256 65856, +91-8888454089
Email	jrdrvb.org@gmail.com
Journal Website	https://jrdrvb.org
Registered office Address	'Ravichandram' Survey No-101/1, Plot, No-23, Mundada Nagar, Jalgaon, Maharashtra, India
Admin. Office Address	'Ravichandram' Survey No-101/1, Plot, No-23, Mundada Nagar, Jalgaon , Maharashtra, India
Printing	**Amitsons Digital Copiers** 106 and 110, Paras Chambers 1st Floor, Near Laxmi Narayan Theatre, Above Bank Of India, Swargate-411042

Journal of Research and Development
Peer Reviewed International, Open Access Journal.
ISSN : 2230-9578 | Website: https://jrdrvb.org

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Email: jrdrvb.org@gmail.com Journal Website: https://jrdrvb.org

Journal of Research and Development

A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September - 2025

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

A Critical Analysis of Role of Indian Constitution and Sustainable Rural Development

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Manuscript ID:
JRD -2025-170901
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 1-5
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The role of the Indian Constitution is very important for sustainable rural development. The Constitution directs the organization of Gram Panchayats as autonomous bodies and gives them the power of self-governance, which promotes the development of rural areas. The Indian Constitution, under Article 40, directs the states to organize Gram Panchayats and grant them the power of self-governance. This means that local decision-making and implementation of development plans, this is done through Gram Panchayats, which enable development to be achieved while keeping in mind the needs and problems of rural areas. Sustainable development is important to protect the environment we live in and conserve resources for future generations. India is a country of 1.4 billion people where there is tough competition to meet the basic needs of a healthy lifestyle.

Keywords: *Rural Development, Indian Constitution, Role, Factors, People, Health, Culture, Social status, Indian Economy etc.*

Introduction:

The Indian Constitution provides a strong foundation and guidance for sustainable development of rural areas, which enables the holistic development of rural areas. Sustainable development means meeting the needs of the present without compromising the ability of future generations to meet their own needs. This requires the protection of the environment and the proper use of natural resources. For the development of rural areas, both social and economic development are important. This requires the development of education, health, employment, and infrastructure. Various government schemes, such as the Mahatma Gandhi National Rural Employment Guarantee Act, Pradhan Mantri Awas Yojana, Bharat Abhiyan, and Jal Jeevan Mission, have a major impact on rural development. Gram Panchayats and other local self-government bodies play an important role in the implementation and management of rural development schemes. The inclusion of fundamental rights in the Constitution such as Article 21, Article 47 and Article 48 is relevant to sustainable rural development. The Constitution has considered the development of social facilities like education and health as important for rural development. According to Article 45, there is a provision for free and compulsory education for children below the age of 14. It is done by combining factors such as sustained economic prosperity, environmental protection, and social equity. Clearly, this is a broad framework. As we rapidly move towards the 21st century, these growing efforts will have a major impact not only on our lives but also on our professional activities. The Sustainable Development Goals aim to transform our world. They are a call to action to end poverty and inequality, protect the planet, and ensure health, justice, and prosperity for all people.

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How to cite this article:
Mane, P. T. (2025). A Critical Analysis of Role of Indian Constitution and Sustainable Rural Development. Journal of Research & Development, 17(9(V)), 1–5. https://doi.org/10.5281/zenodo.17669698

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17669698

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Problems of the Study:

Sustainable development means meeting the needs of the present without compromising the ability of future generations to meet their own needs. This means that we should use natural resources in a way that does not have negative impacts on the future. It promotes economic growth through capital accumulation and technological progress by increasing the savings rate, mobilizing and aggregating savings, generating investment information, facilitating and encouraging the flow of foreign capital, and optimizing the allocation of capital. Industrial development is the growth and expansion of industries in an economy. This process transforms a country from being predominantly agricultural to industrial. It involves building factories, using advanced technology, and producing goods on a large scale. Industrial development leads to economic growth, job creation, and technological advancement.

Objectives of the Study:

The main objective of this research is to study the role of the Indian Constitution and sustainable development, and some specific objectives have been given by the researchers as follows.

1. To Study the role of the Indian Constitution.
2. To Study the 75 years of the Indian Constitution and its present scenario.
3. To Study the role of the Indian Constitution in rural development.

Significance of the Study:

The Constitution of India is the largest written constitution in the world. The Constitution is the supreme law of the country, on the basis of which all laws and rules are made. The Constitution is based on democratic principles and emphasizes equality, freedom and justice among the people. The Constitution does not recognize any particular religion as official and treats all citizens equally. The Constitution divides powers between the central and state governments. Citizens are granted six fundamental rights, including equality, liberty, non-discrimination, and the right to religious freedom. The Indian judiciary is entrusted with the task of protecting the Constitution and is independent of the government. India has a parliamentary system of government, where the executive is responsible to the legislature. The Constitution provides some guiding principles for governance, which are called guiding principles of political policy.

Scope of the Study:

The Constitution of India is the most important and fundamental law book of our country. This Constitution declares India as a sovereign, socialist, secular, democratic and republican nation. The Constitution of India is the largest written constitution in the world. Its scope is very wide and includes the powers of the central and state governments, fundamental rights and duties of citizens, directive principles and the role of the judiciary. Although the Constitution is federal in nature, it leans towards Unitarianism. It gives more powers to the central government but also gives the states their rights and autonomy. The Constitution defines the structure of government at three levels: central, state, and local governments. Powers are divided between the central and state governments.

Limitation of the Study:

Provide free legal aid to the poor and needy. Take strict measures to increase transparency and fairness in the judicial process. Courts should take decisions within their jurisdiction and ensure that the law is not misused. All these challenges need to be overcome to make the Indian judiciary more capable and effective. India faces many social, economic, political and security challenges. These challenges include issues such as poverty, unemployment, corruption, illiteracy, socio-economic inequality, regionalism, terrorism, and border security. Judicial delay is a major challenge facing Indian courts. The pendency of ongoing cases and heavy workload in the courts are responsible for the delay in justice. The legal system is burdened by a heavy workload, inadequate judicial resources, and inadequate infrastructure.

Period of the Study:

Researchers have completed this research by reviewing data from 2025 to study the 75 years of the Indian Constitution and its role in sustainable rural development. The Indian Constitution has completed 75 years, but it is evident that poverty, inequality and inequality are widespread in India. Rural development in the manner of the Constitution is the need of the hour to bring every individual into society into the flow of economic development.

Research Methodology:

The Indian Constitution has completed 75 years, but the expected development of rural areas in India has not taken place. It is very important to ensure the economic and social development of rural areas from a constitutional perspective and to strive to bring every person in the country into the flow of economic development. To conduct this research, researchers have used many types of secondary research. This secondary research includes research papers, articles, newspapers, audio videos, reference books, serial books, annual reports etc.

Research Method:

According to the Indian Constitution, every citizen of India is fulfilling his or her role, but the expected development of rural areas has not been achieved on the basis of the four pillars of law, justice, security, and public

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

relations. It is necessary to utilize all the resources of the country for the benefit of the entire society by ensuring sustainable development of rural areas. It is an important role of the Indian Constitution to ensure that every citizen of the society is economically empowered. While conducting this research, the researchers have completed this research using the descriptive analysis method.

Results and Discussion:

The Indian judiciary faces many challenges, primarily including delays in trials, a large backlog of cases, and a lack of resources in the courts. Delays in cases are a major concern. Many cases remain pending for years, preventing people from getting timely justice. There is a huge backlog of cases in the courts, which puts a huge strain on the judiciary. The judiciary cannot function effectively due to inadequate manpower, lack of infrastructure and lack of technology. The poor and disadvantaged sections face difficulties in accessing legal aid, which leads to their deprivation of justice. In some places, corruption and opacity are seen among judges and staff, which reduces public confidence in the judiciary. Courts have sometimes been criticized for ruling outside their jurisdiction or for overusing the law. There is an option to resolve cases through mediation or arbitration without filing a lawsuit in court, but this is not used enough. It is necessary to appoint more judges, increase the number of staff and use technology to speed up the pace of cases in the courts. Take effective measures to control the pendency of cases.

Sustainable Rural Development:

Sustainable rural development means development that meets the needs of the present without compromising the ability to meet the needs of future generations. It is a development that considers economic, social and environmental aspects, and strives to improve the lives of people living in rural areas. Increase income opportunities in rural areas, promote agricultural production, and develop local industries. Improving access to basic services such as education, health, and sanitation, and promoting gender equality. Conserving natural resources, reducing pollution, and preventing activities that harm the environment. Formulating policies and plans for rural development, providing funds and resources, and aiding rural communities. Implementing development projects in rural areas, raising awareness, and empowering local communities.

Poverty Eradication:

Sustainable rural development is crucial for the economic, social and environmental viability of nations. It is essential for poverty eradication, as poverty is highest in rural areas worldwide. The study of poverty has many dimensions, urban-rural, regional and sub-regional contexts. It should be coordinated with rural development initiatives that contribute to sustainable livelihoods. We can eradicate poverty only through efforts at the global, regional, national and local levels, taking advice from various experts, and increasing the participation of ordinary people in the development process. The ultimate goal of sustainable development is to improve the quality of life of all people and preserve the environment. The rural-urban divide still exists throughout the world. Rural development has some basic requirements for a sustainable future.

Chart No. 1 Role of Indian Constitution

Sustainable Economic Development:

Rural development is a process that seeks progress in rural areas for social change and sustainable economic development. In rural areas, the main economic sectors are mainly rural tourism, agritourism, religious tourism, and

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

ecotourism. The class that depends on activities such as agriculture, forestry, energy, mining, or fishing is decreasing. As opportunities in many such sectors dwindle, it has become imperative to implement initiatives that promote rural entrepreneurship and are sustainable, agriculturally complementary, environmentally friendly, and move towards economic growth.

Agricultural Development:

People in rural areas are mainly dependent on agriculture. Rural agricultural production and consumption processes play a major role in the development of the Indian economy. The main objectives of rural development are to increase agricultural productivity, achieve rapid economic transformation, increase farmer profits, and increase domestic production of selected agricultural products. Although policymakers and ethicists have used the term rural development extensively, the question arises as to whether they really understand what rural development means. This concept itself needs to change with the times. The structure of rural development has changed significantly in the last three decades. Till the 1970s, rural development was synonymous with agricultural development. Hence, the focus of all policy makers and the nation was on increasing agricultural production. As industrialization gains momentum, the concept of rural development is also changing. Mainly, it focuses on increasing the mainstream participation of land, farmers, agricultural laborers, and workers, as well as the use and development of natural resources. Many things like effective cropping systems, effective marketing strategies, government schemes, and assistance from international organizations are included in current rural development.

Indian Economy and Constitution:

Indian economy and Constitution are two very important subjects. Indian economy is one of the leading economies in the world and Indian Constitution is the pillar of our country. India has adopted a mixed economy, in which both the public and private sectors participate. India is a developing economy, which is growing rapidly. India's Gross National Product is counted among the major economies of the world. Agriculture is an important part of the Indian economy and continues to be a source of income for a large population. India is undergoing rapid industrialization and has also made significant progress in the service sector. The Constitution of India is the world's largest written constitution. India has a democratic system of government, and the Constitution grants various rights and freedoms to its citizens. The Constitution grants fundamental rights to its citizens, such as equality, liberty, and the right to justice. The Constitution contains guiding principles that guide the government for the welfare of society. The Constitution of India represents a federal structure, in which power is divided between the central and state governments. The Indian judiciary is entrusted with the responsibility of protecting the Constitution and safeguarding the rights of citizens. The Indian economy and the Constitution are closely linked. The Constitution provides the basis for policies that are essential for the country's economic development and social justice.

Indian Constitution and 75 years:

The central government has announced the start of a year-long historic celebration to commemorate the 75th anniversary of the adoption of the Indian Constitution. The Constitution of India is a milestone, reflecting the remarkable journey of our democracy and the enduring legacy of our fundamental principles and constitutional values. The Constitution of India is the supreme law of the country, which includes the framework of governance, powers, and duties. Establishes India as a sovereign, socialist, secular, democratic republic, ensuring justice, liberty, equality and fraternity for its citizens.

Challenges before Indian Constitution:

The violations of parliamentary traditions, the standards of democracy and the rule of law are for the Peace Congress. Poverty, unemployment, and inequality in education and health facilities are still widespread. Efforts to create ethnic and religious divisions, as well as injustice against minority communities, challenge constitutional values. The increasing number of cases pending in the courts and the lack of effective implementation of the rule of law pose a major challenge to the judiciary. Constitutional values such as equality, liberty, justice and fraternity are being eroded, threatening social harmony. The Indian Constitution has laid a strong foundation for the country's progress. However, only by overcoming the above challenges can we create a just and equitable society.

Equality and Justice:

India's history, while glorious and proud on one hand, is marred by inequality on the other. Indian history has never noticed that inequality based on gender, class, and caste has ever become a part of the Indian social system. While the country's freedom struggle was going on, a parallel social struggle was also going on against this inequality. After independence, to embody that goal, the Indian Constitution made provisions for many social rights along with political rights. Over the past 72 years, the Constitution has done the very delicate job of unifying the entire Indian society, regardless of gender, caste, religion, race, language, or region, through social provisions. In order to maintain our diverse Indian community united in the future, it is necessary to preserve the Constitution and its liberal values. Otherwise, caution or constitutional values will have reached a limit, and it will not take long for the wheels.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Conclusion:

The Indian Constitution plays a vital role in sustainable rural development. The Constitution, especially the Directive Principles and Fundamental Duties, provide a strong foundation for the development of rural areas. Ensures the protection of natural resources, social justice, equality and economic development. The Constitution has created a strong infrastructure for rural development. However, there are still many challenges for development in rural areas. Poverty, unemployment, inadequate infrastructure and lack of education need to be overcome. For this, the government and social institutions need to work together. Sustainable rural development is a multi-faceted process that requires the cooperation and engagement of all stakeholders. This is important not only for rural areas but for the entire country. The Constitution of India is the cornerstone of India's democracy and social structure. The Indian Constitution is the world's largest written constitution. It covers the structure of government, its functioning, and the fundamental rights and duties of citizens. Citizens are granted six fundamental rights, including equality, liberty, the right against exploitation, the right to religious freedom, cultural and educational rights, and the right to constitutional remedies. The Indian judiciary is independent and protects the Constitution. India is a secular country, where the government does not promote any particular religion.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Climate Change, Vulnerable Regions, and the Indian Constitution

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Manuscript ID:
JRD -2025-170902
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 6-8
Sept. 2025

Submitted: 15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Climate change is no longer a distant environmental concern—it is a pressing legal, human rights, and developmental issue. In India, the effects of climate change disproportionately impact certain regions due to ecological fragility and social vulnerability. The Indian Constitution contains several provisions mandating environmental protection and equitable development, yet their practical enforcement remains inconsistent. This study explores the constitutional framework and legal responsibilities related to climate governance in India, focusing on the realities faced by climate-vulnerable regions. Through legal analysis, regional case studies, and review of policy implementation, the paper highlights the urgent need for region-specific climate adaptation strategies grounded in constitutional principles and environmental justice.

Keywords: *Climate Change, Vulnerable Regions, Indian Constitution, Environmental Protection, Environmental Justice, Sustainable Development.*

Introduction:

India, with its vast geographical and climatic diversity, faces unique and severe challenges from climate change. From rising sea levels along the coasts to glacial melting in the Himalayas, erratic rainfall in drought-prone zones to deforestation in tribal regions—each region has its own climate-related threats. While the Indian Constitution provides a strong foundation for environmental protection through Articles 21, 48A, and 51A(g), translating these legal principles into practice remains a challenge, especially in areas where institutional capacity is weak and communities are already marginalized. This research examines how legal responsibilities under the Constitution are realized in practice across vulnerable regions, and how regional disparities influence environmental governance.

Significance of the Study:

Emphasizes the intersection of climate vulnerability and constitutional mandates in India. Highlights region-specific challenges that affect climate resilience and legal enforcement. Contributes to the discourse on environmental justice and constitutional responsibility. Encourages integration of climate adaptation into legal and governance frameworks. Supports development of tailored, inclusive policies for high-risk regions.

Objectives:

1. To analyze constitutional provisions related to environmental protection and climate action.
2. To identify the most climate-vulnerable regions in India and their specific challenges.
3. To assess how legal and policy measures are implemented across these regions.
4. To evaluate the role of Indian judiciary in shaping climate and environmental jurisprudence.

To propose recommendations for strengthening regional climate governance through law and policy.

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How to cite this article:
Suryawanshi, U. N. (2025). Climate Change, Vulnerable Regions, and the Indian Constitution. Journal of Research & Development, 17(9(V)), 6–8. https://doi.org/10.5281/zenodo.17669804

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17669804
OPEN ACCESS

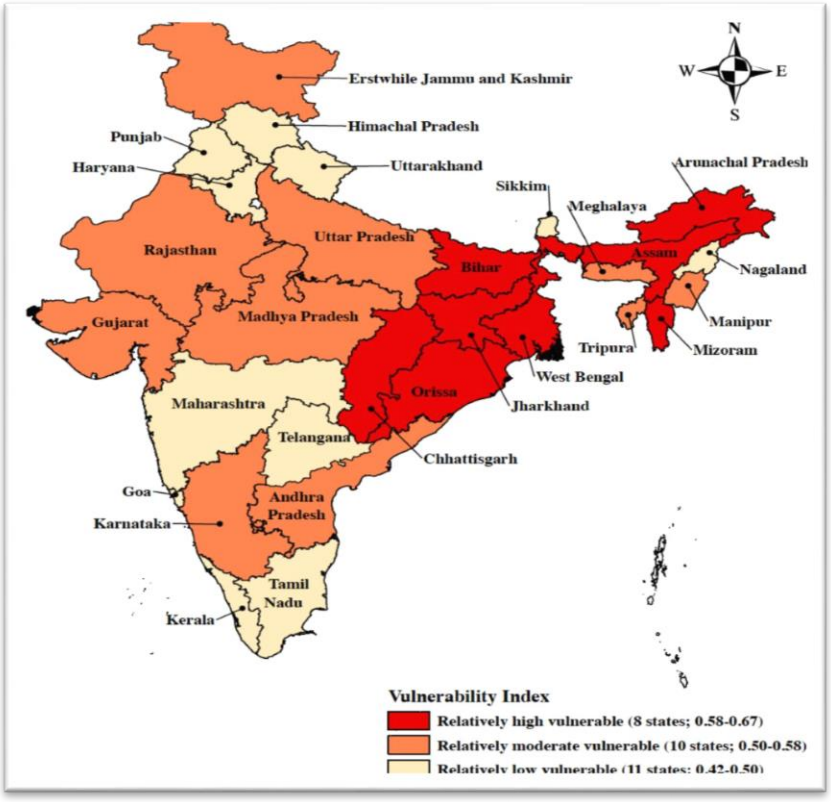
Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Study Area / Location: -

The study focuses on selected regions in India that are both ecologically sensitive and socio-economically vulnerable:

Region Type	States/Areas Involved	Key Climate Issues
Coastal Regions	Odisha, West Bengal, Kerala	Cyclones, sea-level rise, saltwater intrusion
Himalayan Region	Uttarakhand, Himachal Pradesh, Sikkim	Glacial retreat, landslides, flash floods
Drought Zones	Marathwada (Maharashtra), Bundelkhand (UP & MP)	Water scarcity, crop failure, rural migration
Tribal Forest Areas	Chhattisgarh, Jharkhand, Northeast India	Deforestation, displacement, biodiversity loss

These regions represent a cross-section of India's climate risk landscape, offering a diverse view of how climate change intersects with legal enforcement and governance.



Methodology:

1. Doctrinal Legal Research

Review of constitutional provisions: Articles 21, 48A, 51A(g). Analysis of key environmental laws: Environmental Protection Act (1986), Forest Rights Act (2006), Disaster Management Act (2005)

2. Case Study Approach

Selection of one representative area from each vulnerable category**.** Collection of data from government reports, legal documents, and NGO publications

3. Judicial Review

Study of landmark environmental cases and their regional impact. Analysis of how the judiciary has interpreted constitutional duties related to climate change

4. Policy and Institutional Analysis

Examination of the National and State Action Plans on Climate Change (NAPCC, SAPCCs). Assessment of local implementation, funding, and governance mechanisms

5. Secondary Data Sources

- Reports from CEEW, UNDP, IPCC, IMD, and NITI Aayog
- Climate vulnerability indices, hazard maps, and regional policy evaluations

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Analysis and Discussion:

Constitutional Provisions and Environmental Protection the Indian Constitution lays a strong legal foundation for environmental protection: -

- Article 21 ensures the right to life, which has been judicially expanded to include the right to a clean and healthy environment.
- Article 48A directs the state to protect and improve the environment.
- Article 51A(g) makes it a fundamental duty of citizens to protect nature and ecological balance. Despite this framework, climate-specific responsibilities are not directly articulated, leaving implementation largely dependent on interpretation and political will.

2. Regional Disparities in Vulnerability and Legal Implementation: -

a) Coastal Regions (e.g., Odisha) Despite strong cyclone warning systems, resettlement and long-term adaptation planning remain weak. Coastal Regulation Zone (CRZ) norms are often violated for infrastructure projects.

b) Himalayan States (e.g., Uttarakhand) Climate-sensitive ecosystems are threatened by unregulated tourism and infrastructure development. Courts have intervened, but implementation of ecological zoning remains inconsistent.

c) Drought-Prone Areas (e.g., Marathwada) Frequent droughts highlight the failure of water management policies. Legal mandates exist under disaster and environment laws, but lack of accountability and poor planning persist.

d) Tribal and Forest Areas (e.g., Chhattisgarh) Despite the Forest Rights Act (2006), forest-dependent communities face displacement and environmental degradation due to mining and development projects. Judicial decisions often protect corporate interests over tribal rights.

3. Role of the Judiciary the Indian judiciary has played a vital role in strengthening environmental protection. Notable cases include:

- MC Mehta v. Union of India – Expanded environmental jurisprudence through PILs.
- Vellore Citizens Welfare Forum v. Union of India – Recognized sustainable development as a constitutional principle.
- T.N. Godavarman v. Union of India – Enforced Forest conservation across the country. However, many judicial orders lack enforcement, especially in remote and politically weak regions.

4. Institutional and Policy Challenges:

- National and State Action Plans often lack region-specific adaptation strategies.
- Local governments face funding constraints and capacity issues.
- Climate policy remains centralized, with insufficient input from vulnerable communities.
- Environmental Impact Assessments (EIAs) are often diluted for economic projects.

Conclusion:

India's legal and constitutional framework provides a strong mandate for environmental protection. However, climate change presents new challenges that require a more nuanced and regionally grounded response. Vulnerable areas such as coastal belts, hilly terrains, drought zones, and tribal forests face specific risks that are not adequately addressed through generalized national policies. Bridging the gap between constitutional vision and regional realities requires stronger local governance, judicial accountability, community participation, and climate-sensitive legal reforms. A rights-based approach to climate governance can ensure that the most affected populations are protected, not only by laws but also by justice.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Indian Constitutions and Human Rights: An Empirical Analysis

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Manuscript ID:
JRD -2025-170903
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 9-12
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Human rights have a legal basis in the Constitution and are protected in accordance with international standards. India has ratified the universally accepted Universal Declaration of Human Rights and international treaties of the United Nations. Human rights are protected under the Constitution of India and the Human Rights Protection Act, 1993. Judiciary also strengthens the protection of human rights by expanding their scope through its historic decisions. Human rights mean the rights relating to life, liberty, equality and dignity of an individual guaranteed by the Constitution or included in international treaties and enforceable by the courts in India. A human rights constitution integrates fundamental rights within its text, ensuring these inherent entitlements are legally protected and enforceable by the state. While specific provisions vary by nation, constitutions typically include rights such as equality, freedom of expression and religion, and the right to life and liberty, providing a framework for universal human dignity and a just society.

Keywords: *Human Rights, Indian Constitution, People, Life, Judiciary, Decisions, Fundamental Rights, Nation, Freedom etc.*

Introduction:

Constitution guarantees most of the human rights contained in Universal Declaration of Human Rights. Part III of the constitution contains civil and political rights, whereas economic, social and cultural rights have been included in Part IV of the Constitution. As the supreme law of a nation to which all other laws are subordinate, constitutional guarantees of human rights are vital in cementing human rights protections and ensuring legal accountability for their realization. Justice Bhagwati, the father of human rights jurisprudence, transformed the rights to livelihood, shelter, health and water into fundamental rights enforceable by the courts through judicial activism. Fundamental Rights and Duties are an important part of the Indian Constitution. There are six fundamental rights which include the right to equality, the right to liberty, the right against exploitation, the right to freedom of religion, cultural and educational rights, and the right to constitutional remedies. The Supreme Court's role as the guardian of the Constitution is reflected in many important decisions in India. States that no constitutional amendment can alter the core principles of the document. These rights and freedoms are protected by the common law principle that legislation should not infringe fundamental rights and freedoms unless the legislation expresses a clear intention to do so and the infringement is reasonable. The Constitution of India is the supreme law and fundamental document of India, which spells out the country's basic political code, structure, procedures, powers, and duties of government institutions, as well as the fundamental rights and duties of citizens.

Problems of the Study:

While India's Constitution guarantees fundamental rights, major problems persist, including police brutality, discrimination based on caste and gender, forced labor, and restrictions on free speech and assembly.

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How to cite this article:
Patil, A. S. (2025). Indian Constitutions and Human Rights: An Empirical Analysis. Journal of Research & Development, 17(9(V)), 9–12. https://doi.org/10.5281/zenodo.17669864

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17669864
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Specific issues also arise from policies like the Citizenship Amendment Act and the use of forced evictions, raising concerns about the arbitrary and discriminatory nature of state actions and the significant gap between constitutional ideals and ground realities.

Objectives of the Study:

Studying the Indian Constitution and human rights as a very important part of a developing nation like India is of utmost importance from the perspective of the entire world. The main objective of this research is to conduct a detailed study of the Indian Constitution and the human rights granted to every person in India. Some specific objectives have been given by the researchers as follows.

1. To Study the Indian Constitution in detail.
2. To Study the current situation of human rights and developing India.
3. To Study the factors affecting the Constitution and human rights.

Significance of the Study:

A constitution significantly protects human rights by embedding fundamental rights like equality, freedom of speech, and right to life as legally enforceable guarantees within its framework. This constitutional framework transforms abstract human rights into binding obligations for the state and provides citizens with a mechanism for seeking legal redress through the courts, such as the Supreme Court and High Courts. The significance lies in establishing a just and equitable society, promoting individual dignity and freedom, and ensuring accountability of the government to uphold these universal rights.

Scope of the Study:

Constitutional provisions for human rights create a framework for social justice, equality, and non-discrimination, laying the groundwork for a fair and just society. The power of constitutional rights holds the government accountable to its citizens, preventing arbitrary actions and ensuring that governance is conducted with respect for human rights. A constitution's commitment to human rights, especially when informed by documents like the Universal Declaration of Human Rights, aligns the nation's legal system with global human rights standards. Citizens are empowered to claim their rights, knowing they have legal recourse against violations, which fosters trust in the democratic system.

Limitation of the Study:

The supreme law of the nation to which all other laws are subject. As the supreme law of the nation, constitutional guarantees of human rights are important for strengthening the protection of human rights and ensuring legal accountability for their implementation. They recognize our freedom to make choices about life and to develop our potential as human beings. They are about living a life free from fear, persecution, or discrimination. Human rights can be broadly defined as a number of fundamental rights that people around the world agree are essential. Fundamental Rights, enshrined in Part III of the Indian Constitution, are essential for ensuring individual liberty, equality, and justice. They are universal, guaranteeing rights to all citizens without discrimination based on religion, race, caste, sex, or place of birth.

Period of the Study:

The researcher has completed the research by reviewing the information in 2025 to study human rights and the constitution in detail. It is an important matter for this nation that a constitution was presented by adopting democracy in developing countries like India.

Research Methodology:

The Indian Constitution has completed 70 years, but a developing nation like India needs human rights to develop. But the two concepts of Constitution and Human Rights have given the rights and entitlements of every person in India. But even after many years of India's independence, injustice has been done to the Indian Constitution and human rights. But even after many years of India's independence, injustice has been done to the Indian Constitution and human rights. While conducting this research, the researcher has studied the human rights in the Constitution and has used many types of secondary resources. Secondary research includes research papers, journal articles, newspapers, audio videos, reference books, serials, annual reports, books etc.

Research Method:

Developing nations like India have embraced democracy and adopted the Indian Constitution. Although human rights and the Constitution are closely related, it is necessary to cultivate humanism from the perspective of the rights and responsibilities granted to every individual by the Indian Constitution. Efforts need to be made from the perspective of building an inclusive nation by instilling humanism in the Indian individual through human rights and the Constitution. To study the Constitution and human rights, researchers have used descriptive analysis methods to explain the importance of the Indian Constitution and human rights in human life.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Results and Discussion:

Constitutions often define and guarantee fundamental rights, basic freedoms essential for an individual's development and dignity, like the right to life, liberty, and freedom from discrimination. Unlike general declarations, these constitutional rights are legally binding and can be enforced in courts. If these rights are violated, citizens can take legal action to have their rights upheld. The constitution places a responsibility on the state to not only refrain from violating these rights but also to actively promote and protect them. By guaranteeing these rights, constitutions ensure that every individual can live a life of dignity, free from oppression and with the opportunity to pursue their potential.

Development of Human Rights:

The Human Rights in India originated long time ago. It can easily be recognized from the principles of Buddhism, Jainism. Hindu religious books and religious texts like Gita, Vedas, Artha Satra and Dharmashstra also contained provisions of human rights. Muslim rulers like Akbar and Jahangir were also very much appreciated for his regard for rights and justice. During the early British era, the people suffered a great violation of several rights, and this led to the birth of modern Human Rights jurisprudence in India. Protection of human rights is essential for the development of the people of the country, which ultimately leads to development of the nation as a whole. The Constitution of India guarantees basic human rights to each and every citizen of the country. The farmers of the Constitution have put their best effort into putting down the necessary provisions. However, with continued developments taking place, the horizon of human rights has also expanded. The parliamentarians are now playing á great role in recognizing the rights of people and passing statues, amending provisions etc. as and when required.

Constitution:

A constitution is the supreme law of a country, laying out the fundamental principles, framework, and rules for governing the nation and protecting citizens' rights. It's important because it establishes a foundational blueprint for a nation's governance, limits government power to prevent tyranny, guarantees fundamental individual and minority rights, provides stability by setting clear rules, and fosters national identity by defining shared aspirations and goals. As the supreme law of a nation to which all other laws are subordinate, constitutional guarantees of human rights are vital in cementing human rights protections and ensuring legal accountability for their realization. India has ratified the Universal Declaration of Human Rights and the subsequent International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights adopted by the General Assembly of the United Nations.

Human Rights:

A right is a reasonable claim of every individual recognized by society and sanctioned by law. A right is a condition for the all-round development of an individual and a conducive environment without which an individual would not get the opportunity to develop his latent qualities. In modern times, the rights of individuals and groups are recognized by the state. Rights are enshrined in the constitution so that they do not depend on the whims of the rulers. Human rights are those rights that a person has by virtue of being a human being. Everyone has certain qualities. Everyone needs equal opportunities to develop those qualities to their full potential. When everyone is given equal opportunities, regardless of caste, religion, or gender, then everyone can develop their latent qualities.

Promotes Social Justice and Equality:

The Constitution sets out the powers and responsibilities of various government institutions, providing a framework for decision-making and policy implementation. It establishes India as a democratic republic, with a defined political system, government structure, and the rights and duties of citizens. The Constitution protects citizens' basic freedoms, such as the rights to equality, freedom of speech, and protection against unfair treatment. It aims to create a just society by promoting equality for all citizens, irrespective of caste, religion, gender, or economic status, and empowering marginalized communities. By providing a fundamental set of rules and principles, it creates a stable legal environment and offers predictability in how the country is governed. It separates power among the executive, legislative, and judiciary branches, preventing the concentration of power and promoting accountability through checks and balances. The Constitution is designed to uphold the unity, integrity, and diversity of India, ensuring that different ethnic and religious groups can live in harmony. It is the supreme legal document that binds all government branches, and the judiciary is empowered to ensure that no action or legislation violates the Constitution. The Indian Constitution is important because it is the supreme law of the land, providing the framework for governance, guaranteeing fundamental rights and liberties to citizens, and establishing a sovereign, democratic, secular, and socialist republic. It ensures social justice, promotes equality, and protects the unity and diversity of the nation by providing a stable and predictable legal system, separating powers among government branches, and establishing a system of checks and balances.

Constitution and Laws:

A constitution is important because it provides the fundamental principles for a nation's governance, defining the structure and powers of government while safeguarding citizens' rights and freedoms. It serves as the supreme law of the land, ensuring the rule of law, promoting accountability and transparency, and fostering national identity and stability by establishing clear rules for citizens and leaders to follow. A constitution is a country's foundational legal

framework, establishing its fundamental principles, governmental structure, and citizens' rights and duties, whereas law encompasses all specific statutes and regulations created under the constitution to govern society. In essence, the constitution is the supreme law that sets the boundaries and guidelines for creating other laws.

Developing India and Constitution:

The relationship between a developing India and the Constitution is that the Constitution provides the framework and principles necessary to make India a strong and developed nation. It provides justice, equality and freedom to citizens, which are important for development, and it also sets the rules for how the country is run, which is why India is moving forward as a sovereign, socialist, secular, democratic republic. The Constitution of India is the supreme law of the country, which guides and governs the development of the country. It grants fundamental rights like justice, equality, liberty and fraternity to its citizens. The Constitution is not just a static document, but a living document that evolves with the changing needs of society. It adapts constitutional principles to meet contemporary challenges.

Building an Ideal Society:

The Constitution of India aims to create an ideal society, where every citizen has the right to live with dignity and morality. The Constitution is a guiding principle in the journey of a developing India, giving direction to the economic, social and political development of the country. The importance of the constitution is that it determines the structure and functioning of government, clarifies the rights and duties of citizens, establishes the rule of law, and underpins a stable and democratic system by guaranteeing fundamental human values. A constitution is a basic set of rules for a nation, which provides guidelines for the governance of the country. International recognition is important for a country because it allows it to participate in world affairs and gain global recognition. The constitution plays an important role in a nation's interactions with other countries and ensuring compliance with global agreements.

Conclusion:

Human Rights are the basic rights which form the essential part of his/her development as human being. Constitution acts as a protector of those basic rights as Fundamental Rights and DPSPs. More emphasis has been given to fundamental rights, and they are directly enforceable in the court of law. From a deep study of the Part III and Part IV of the Indian Constitution, it is easily evident that almost all of the rights provided in UDHR are covered in these two parts. Judiciary has also taken great steps such as relaxing rules of locus standi and now any other person in place of the ones affected can approach Court. The apex court has interpreted the Fundamental Rights available to a citizen and now rights like right to privacy, right to clear environment, right to free legal aid, right to fair ‘trail etc. also find place in the fundamental rights.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Bhakti Movement of Maharashtra and the Constitutional Values

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Manuscript ID:
JRD -2025-170904
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 13-15
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

India has carvedself-identityall over the world through 'unity in diversity' principle.India is known for multicultural, multilingual, multi-religious, multi-caste society and the Constitution unites all together assuring the citizens for fundamental rights, dignity, freedom of expression andmigration, socio-economic justice, equal opportunities etc. in spite of any caste, creed, religion, gender, region which he or she belongs to. The Constitution brings every Indian on equal foot for instance, the right of One Person – One Vote – One Value. The preamble of the constitution is an identity card of every Indian citizen which explores the principles of equality, social justice and the role of Indian citizen are stated in the constitution. The emergence of the Constitution is not abrupt but when we unearth its background, we find the resources are varied and the influence of Bhakti movement is one of them which challenged every kind of exploitation and discrimination based on caste, creed, class, gender and region and awakedMarathi linguistic community through abhangas, bharuds, kirtanas, etc. various literary forms. This paper is an attempt to revealinfluence of BhaktiMovement from Maharashtra on the Constitution. It reveals how the Bhakti movement remained the core source of the constitution which explores human values. The constitution of Indiadiscourages every means of exploitation and discrimination and provides a shield of protection from any kind of discrimination on the basis of caste, creed, class, region, religion and offers equality and at the same time keeping dignity of an individual, expecting citizen to strengthen India, our nation.

Keywords: *The Constitution, WarkariSampradaya, human values, equality, liberty, fraternity, abhanga, kirtanaetc.*

Introduction

India has a great tradition of social reformers which beginsfrom Gautam Buddha, VardhmanMahavir, Charvak, Basaveshwara, Nagarjun, SaintKabir, SaintDnyaneshwara, SaintNamdeo, SaintEknath, SaintTukaram, SaintTukdoji, SaintGadage Baba and others at practical and spiritual level. Through the various socio-cultural movements, human values were spread and sown for the betterment of human society. The non-Vedic Bhagwat Dharma'sWarkariSampradaya'sdevotion is unparalleled. In Medieval and British India, various exploiting means were challenged by BhaktiMovement from Maharashtra. The discrimination and exploitation was based on caste, class, religion, region, language and gender. The VarkariSampradaya has challenged every kind of injustice, inhuman treatment, exploitation, discrimination through creations of abhanga, viranya, gaulani, bharud etc. forms and kirtan and pravachan,i.e.didactic preaching at the same time throughwhich WarkariSampradaya or Bhakti cult has promoted and exercised freedom, equality, friendship and tolerance etc. human values and eroded the rift in society. The Bhaktimovement opposed untouchability, caste discrimination, male domination, high class-low class notion and thus, fought against hierarchical rigidity of Indian society. Denying out dated rituals, customs, traditions such as performing yadnya, blind faith and beliefs etc. The Bhakti movement also opposed the concept of multi-deities instead the Bhakti movement proposed an alternative and promoted one God i.e. Vitthala also called Panduranga for all.

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How to cite this article:
Rupnath, B. V. (2025). Bhakti Movement of Maharashtra and the Constitutional Values. Journal of Research & Development, 17(9(V)), 13–15. https://doi.org/10.5281/zenodo.17669924

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17669924
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The concept 'God' is not non-human but human having qualities of common people who shares everything with the devotees. Mahatma JyotiraoPhule also believed and proposed the concept of Nirmik, the creator. Caste, class and patriarchy are the major means of discrimination in Indian society which was challenged by the Bhakti cult from Maharashtra. Bhakti movement revolts against various kinds of domination. The movement opposed gender discrimination and proposed feminist perspective through their actions in practice. Secondary social status for women at various levels in Indian society thought to be obvious. Bhakti cult has opposed the notion of gender discrimination. SaintJanabai revolted against the stereotypical traditional role attributed to women. Women were thought to be hurdle in men's spiritual redemption. SaintJanabai rebels against the age-old taboo in the 14th century. SaintMuktabai, SaintSoyarabai, SaintKanhopatra and SaintBahinabai are some of the examples of women saints who left foot prints of their identity in Warkari Sampradaya. Siddhanath and Sufi tradition have great influence on Bhakti movement and Warkari literature. Saint Shaikh Muhammad, Shaikh Latif Momin, SaintKabir are some of the saints who remained inspiration of Bhakti movement. Once SaintTukaram had had Kirtan at the mosque in Pune is an example of secularism.

. It is obvious to know history of suppression of those who revolted against social, economic, cultural, political power exercised through social institutions. The leaders of *Bhakti* cult are no exceptions. The rigid*vedic* tradition punished Saint Dnyandeo and his parents and siblings as well. Saint Namdev urged to Vitthala that 'O Panduranga, why has He created him as *shimpi*, the lower caste individual'. SaintTukaram, the saint poet's literary wealth i.e. *Gatha* was thrown into riverIndrayani as a part of punishment and further he was punished to death accusing him that he had no right to learn Vedas, the sacred Hindu Holy Scriptureswere banned to him for preaching. The brutal stories of his death are spread all over the contemporary Maharashtra. He taught human values, equality, opposed gender discrimination and hatred. through his literary creations. After destroying his literary works, the followers and well-wishers of Tukaram collected his *abhangas*, which were preserved through oral tradition in nearby villages of Dehu and Pandharpur as well. He finds the wealth of words, words of humanity for betterment of society.

Indian society is divided into castes. The caste rigidity and hierarchy is one of the exploiting characteristics of Indian society. Caste remained one of the means of discrimination and exploitation. Nature displays caste species among animals and trees and not in human being. Caste system is manmade. On the basis of caste hierarchy, the lower strata and women are always being dominated by the upper dominant caste people in order to preserve their political, social and economic rights by imposition of the notion of impurity on them. And thus, these dominated caste people are kept away from social justice and equality. The dominant caste communityalways try to impose the ideas to support inequality and centralised socio-economic and cultural power. A care has always been taken to keep away the downtrodden communities from equality, equity and knowledge gain. This notion has been strongly opposed by Bhakti cult. The rituals, superstitions and traditions which remained harmful to socio-cultural equality were opposed by the Bhakti movement. The saint poets have developed various literary forms such as abhanga, bharud, viranya, kirtan, pravachan i.e. the didactic forms of preaching. Attacking an unscientific and illogical superstitionsabout natural life process.SaintTukaram comments that by praying or worshipping deities expecting children is unnecessary.

Bhakti movement emerged in Maharashtra which geminates the constitutional values equality, equity, social, economic justice, opportunity to progressand proposed liberty and freedom for everyone despite caste, creed, class, region, gender and language. The tool, SaintTukaram states regarding social change is words, i.e. language is the tool to change, to literary creations and to preaching. WarkariSampradaya or Bhakti movement is formed of the individuals from various castes, class, region, gender, religion and peasant communities. The pillars of this Bhakti movement in form of saints from various castes such as SaintNamdeo belongs to shimpi caste, Saint Gora belongs to kumbhar or earthen potmaker caste, SaintSawata Mali belongs to mali or gardener/peasant caste, SaintSena Maharaj belongs to nabhik or barber caste and even from untouchable castes Saint Chokhamela, SaintKarmamela are few examples. SaintTukaram compares human society with a human body.

WarkariSampradaya never preserves and never supports hatred, selfishness and domination. Thus, these castes based discrimination is opposed and paved way to spread human values which are reflected in the constitution. The constitution does not offer only freedom of speech, social and economic equality but at the same time recognizes every individual as citizen of India. A citizen has attributed with certain roles to each and every Indian citizen. SaintNamdeo were denied entrance in a temple, SaintTukaram's literary treasure Gatha were thrown in river Indrayani and followed with cruel punishment by the then culturalsupremes. SaintEknathMaharaj also revolts against caste system and stands with the language of common people opposing Sanskrit i.e. restricted to Brahmins.

All the saint poets opposed the so-called restriction of knowledge Dnyandeo composed Gita in Prakrit i.e. the language of people Thus, it broke the shackles of restriction of knowledge bound in Sanskrit. It is a kind of linguistic revolt. SaintTukaram claimed that he knows the real meaning of Veda and also claimed that the language his community uses is intellectual to challenge every kind of domination. WhileSaintEknathMaharaj, stating the importance of Prakrit language of common people is the real language and not the so called Sanskrit. SaintEkanathasks a genuine question that if Sanskrit is God given language then Prakrit has also similar status and not any language is inferior to other existing languages.

The basic notion promoted by Bhakti movement is that 'brahma' or spirit which is found everywhere and no matter whether s/he belongs to any caste, class, religion, creed, region, gender or linguistic community. The religion of

everyone is humanity. The society possesses human values of equality, freedom, co-life and friendship, which are essential for every healthy society. SaintTukaram's utopian view reflects a unified world in which no hatred and differentiation would exist. A society as a whole like a human physique, havingseveral parts united and if one gets injured all the rest are affected in that manner any part of society is hurt. Thus, it will hurt the whole society.

The urgency of constitution was proposed by M.N. Roy in 1934. In 1935, the Indian National Congress resolved that there should be an independent constitution committee which took concrete form in 1946. The key role played in the drafting Committee Chairman Dr. B.R. Ambedkar. The Constitution Committee has accepted the Constitution on 26th Nov. 1949, having 22 parts, 395 Articles and 8 Appendices. In the formation process of the Constitution the devoted members belonged to various sections of society despite of caste, class, creed, religion and ideology. The Constitution came into exercised from 26th January 1950.

The Preamble is an integral part of the Constitution. The basic characteristic features of the Constitution are: Democratic form of government, federal structure, unity and integrity of the nation, secularism, social justice and judicial review. The Preamble highlights nature of the Constitution in short as: Sovereignty, Socialism, Democracy, Republican Character, Justice, Liberty, Equality, Fraternity, Dignity of the individual and unity and integrity of the nation.

Thus, the sustainable human values such as freedom, equality and social justice are spread by Bhakti movement to support multicultural, multi religious and multilingual Indian society which remained the core part of the constitution. The Bhakti movement exercised democratic principles: liberty, equality, fraternity, social justice, and stood against any discrimination based on caste, creed, class, gender, region and religion. The devotion of Bhakti movement or WarkariSampradayathrough their actions and literary creations spread the universal values in Indian society which also remained one of the inspirations in the formation of the Indian Constitution.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Balancing Privacy and Mental Health Care: A Constitutional Dilemma

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Manuscript ID:
JRD -2025-170905
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 16-20
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Privacy is not just a prerequisite for human dignity and well-being; it is a fundamental right in itself. The right to health, including mental health, is also a fundamental right and cannot be violated. Article 21 has been expanded to include the right to privacy and the right to health, through interpretation. But for a person who requires mental health care to access it, he or she has to reveal personal information that he or she may not want to. To receive health care, including mental health care, they are forced to give up their privacy and autonomy. It then leads to a constitutional conundrum on the part of the State, institutions, and other health care providers. They want to provide care to such people, but on other hand, how would it be possible without violating the patients' privacy and autonomy? Right to privacy holds great significance in the case of mental health patients for a number of reasons, including the stigma around mental illness. Revealing such a condition in one's life can have grave consequences like discrimination, job loss, social ostracism, etc., On the other hand, in most cases mental health care demands disclosure like, for instance, in case of the patient being a danger to self or others. So when should people be allowed to infringe upon other people's privacy in the greater good of the patient or for society as a whole?

Statutes like the Mental Healthcare Act, 2017 recognize both right to confidentiality and exceptions to confidentiality, under different circumstances. This paper employs the doctrinal method to analyse and review various constitutional provisions, the interpretation by the judiciary, and relevant statutory law related to privacy and mental health in India. The research then aims at identifying the means to ameliorate this issue through the constitutional principle of constitutional morality, which is underpinned by the fundamental values of dignity, liberty, equality, and fraternity. The paper also makes comparative references to International human rights norms such as UN CRPD, 2006 to draw from similar global situations and best practices across the world. Findings from this research clearly establish that right to privacy as well as right to health, including mental health, are recognized as fundamental rights in India but it is also clear that there are no judicial precedents to help resolve conflicts between the two in specific situations. This paper, through the principle of constitutional morality, attempts to do that by navigating the complex nexus between individual autonomy, societal interest, and public health. The paper also provides a set of recommendations to improve the confidentiality framework around mental health care, offer judicial guidelines on scope and extent of permissible breaches, and for de-stigmatization of mental illness through sustained public awareness and sensitization.

Keywords*: Privacy, Mental Health, Constitutional Morality, Article 21, Dignity, Right to Health, Mental Healthcare Act 2017*

Introduction

India has a living constitution and values such as dignity, liberty, and justice have acquired life and force in its tenets. Values such as these are not mere abstractions and are instead vital for human flourishing. The court in India has given furtherance to such values by bringing in an ever-expanding list of rights under the broad mantle of "privacy" and "health". The right to privacy is one that has been judicially recognized as being necessary for human dignity and autonomy. The right to health is a right recognized by the bench as a sine qua non for a dignified and meaningful life.

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How to cite this article:
Kadam, D. Y. (2025). Balancing Privacy and Mental Health Care: A Constitutional Dilemma. Journal of Research & Development, 17(9(V)), 16–20. https://doi.org/10.5281/zenodo.17669998

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17669998
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Mental health is not an exemption to this understanding. Mental illness is a malady that is frequently shrouded in layers of stigma which make the sufferers subject to discrimination and ostracization. Article 21 of the Constitution of India which guarantees the right to life and personal liberty has been judicially expanded by the Supreme Court of India to protect both these aspects – privacy as well as health. However, a difficult question of policy and governance arise in context to its applications when privacy rights and health care needs butt heads. This is the case for confidentiality of mental health records.

The paper attempts to answer the following question in its discussion: How to strike the balance between privacy rights and mental health needs in the Indian context?

Research Methodology

The methodology used in this paper is doctrinal method. Doctrinal method or doctrinal research is the process of interpreting, theorizing and systematizing concepts found in legal materials (laws, cases and constitutions). This method is appropriate for this paper because this paper requires thorough doctrinal analysis.

Review of Literature

The dialectic of constitutional morality and mental health care has been explored extensively by Indian and foreign scholars. Upendra Baxi has espoused Constitutional Morality and Transformative Constitutionalism, by arguing that constitutional morality is the means by which courts must interpret the constitution. He has shown that rights like privacy and health are inseparable, and that both have a transformative connotation, that is, that the State needs to strike an equilibrium between individual dignity and social welfare. This is especially relevant to the conflict between confidentiality and the interest of the community[1].

Flavia Agnes, "Privacy and Health Rights: Gender Dimensions of Autonomy, Dignity, and Integrity in India," in International Journal of Health Research, 2020, has discussed how privacy is inextricably tied to autonomy and dignity, especially with regards to women's health issues. She has also stressed how the privacy of decision-making for women regarding health care cannot be compromised, without also diluting the constitutional promises that guarantee it. This is important for appreciating the gendered impact of confidentiality of mental health[2].

H.M. Seervai has written Constitutional Law of India (Butterworths, 4th edition, 2011), which has become an important and expansive source for doctrinal understanding of the fundamental rights. It has been useful in laying out the groundwork of how Articles 14 and 21 have been used to imbue principles of equality, dignity and liberty, within constitutional adjudication. The same doctrinal exposition is used in this project to determine how the Mental Healthcare Act, 2017 has been used to protect confidentiality of patients and right to access care[3].

Confidentiality of Patient Health Information for People with Mental Disorders: Review of Laws and Policies, a WHO Report, has made an attempt to review national and international standards for medical confidentiality of mental health patients, and to determine when confidentiality may be breached. The report has found that there is a generally accepted primacy of privacy, except for under certain situations where the patient may be a danger to him/herself and the public. It has also served to show the comparative law and policy solutions which Indian lawmakers may use to frame their responses[4].

Gautam Bhatia has written about privacy and right to health, and has analyzed Indian case law within the larger constitutional framework. He has also dealt with the importance of the proportionality test, as established in Justice K.S. Puttaswamy v. Union of India (2017), for working out how rights can be balanced against each other. The author has also been relevant in determining how courts can weigh the privacy rights of patients with the need to provide mental health interventions, and how no such clear methodology has been followed by Indian courts[5].

Constitutional Rights in India

Article 21 of the Constitution of India guarantees "the right to life and personal liberty, which includes the right to privacy and health". In Justice K.S. Puttaswamy v. Union of India (2017), the Supreme Court held that the right to privacy is intrinsic to the right to life and liberty, and is not absolute[6]. In Paschim Banga Khet Mazdoor Samity v. State of West Bengal (1996), the Court stated that the right to life encompasses the right to health[7]. The Directive

[1]Upendra Baxi, *Constitutional Morality and Transformative Constitutionalism*

[2]Flavia Agnes, *Privacy and Health Rights: Gender Dimensions of Autonomy, Dignity, and Integrity in India*, 10 Int'l J. Health Rsch. 3 (2020).

[3]H.M. Seervai, Constitutional Law of India (4th ed., Butterworths 2011).

[4]World Health Organization, *Confidentiality of Patient Health Information for People with Mental Disorders: Review of Laws and Policies* (WHO Report).

[5]*Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1; see also Gautam Bhatia, *Privacy and the Right to Health: Balancing*

[6]*Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1.

[7]*Paschim Banga Khet Mazdoor Samity v. State of W.B.*, (1996) 4 SCC 37.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Principles of State Policy under Articles 38, 39(e), and 47 impose a duty upon the State to provide health protection. Article 14 ensures equality and prohibits discrimination in the context of mental health care.

Privacy as a Fundamental Right

In Justice K.S. Puttaswamy v. Union of India (2017), the Supreme Court declared privacy a fundamental right implicit in the right to life and liberty under Article 21 of the Constitution[8]. This recognition has profound implications for mental health, as it affirms that personal medical information, including mental health records, is protected under the right to privacy. This includes informational privacy, bodily integrity, and decisional autonomy. In mental health care, privacy specifically ensures the confidentiality of medical records, diagnosis, and treatment.

Mental Healthcare Act, 2017:

The right to mental health care as part of the right to life and health has been further strengthened by judicial interpretation and legislation. In Francis Coralie Mullin v. Union Territory of Delhi (1981), the Court opined that the right to life guaranteed by Article 21 includes the right to live with dignity[9]. The Mental Healthcare Act, 2017 underlines this perspective. Section 23 of MHA, 2017, explicitly recognizes the right to confidentiality. Section 25 of MHA, 2017, provides a right to access one's medical records but also allows reasonable restrictions in the interest of privacy. Section 115 of the Mental Healthcare Act, 2017 provides a presumption against criminal intention of suicide, and treats suicide as a mental health issue.

The Constitutional Dilemma

However, a dilemma of confidentiality versus disclosure arises on the Constitutional front. Confidentiality is important to ensure stigma is not attached to the patient, and that the autonomy of the individual is respected. Disclosure, on the other hand, may sometimes be necessary for the safety of the patient, or the public. This balance is tenuous, as is the conflict between individual autonomy in treatment decisions, and the requirements of public safety. The judiciary has not yet laid down clear guidelines as to how this tension between privacy rights and effective mental health care can be resolved.

International Perspectives

International law also reinforces these rights. Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) provides for the right to the highest attainable standard of health[10]. The Convention on the Rights of Persons with Disabilities (CRPD), 2006, ensures equal rights and dignity of persons with disabilities, including mental illness[11]. The European Court of Human Rights has recognized the right to confidentiality of medical records under the right to privacy[12].

Application of Constitutional Morality

The application of constitutional morality becomes essential in this context. Constitutional morality necessitates respect for the principles of dignity, equality, and liberty, without sacrificing public health needs. The test of proportionality as articulated in Puttaswamy becomes an important yardstick to apply a reasonable restriction on individual autonomy for the collective welfare[13], and arrive at a just and equitable solution for mental health care in India.

Findings and Analysis

Privacy and mental health are both constitutionally protected, but the law is not clear on which should prevail.

The Indian Constitution enshrines privacy and mental health as aspects of the right to life and dignity. However, when these rights conflict, the law lacks a clear framework or judicial guidance on which should take precedence, creating ambiguity in practical application.

The Mental Healthcare Act, 2017 provides for confidentiality, but also allows for exceptions without much judicial guidance.

The Act clearly protects the confidentiality of medical records and treatment information, but it also provides for exceptions, such as when a patient poses a threat to themselves or others. The law, however, lacks adequate judicial interpretation and detailed guidelines on balancing these competing interests.

Stigma and discrimination make confidentiality crucial in mental health cases.

[8] *Puttaswamy*, supra note 1.
[9] *Francis Coralie Mullin v. Union Territory of Delhi*, (1981) 1 SCC 608.
[10] International Covenant on Economic, Social and Cultural Rights, art. 12, Dec. 16, 1966, 993 U.N.T.S. 3.
[11] Convention on the Rights of Persons with Disabilities, Dec. 13, 2006, 2515 U.N.T.S. 3.
[12] *Z v. Finland*, App. No. 22009/93, Eur. Ct. H.R. (1997).
[13] *Puttaswamy*, supra note 1.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

In India, the stigma associated with mental illness is severe, leading to marginalization, job loss, and social exclusion. This underscores the importance of confidentiality in protecting patients from discrimination and encouraging them to seek treatment without fear of exposure.

Judicial decisions are fragmented on the subject and need a unified approach.

Indian courts have dealt with aspects of privacy, dignity, and mental health in isolation through various cases, but there is no cohesive jurisprudence that ties these aspects together. A unified approach is needed to guide patients, healthcare providers, and the judiciary.

International practices show a mix of approaches but mostly rely on proportionality and necessity tests.

In many jurisdictions, especially in Europe, the balance between individual privacy and public health in mental health cases often hinges on the proportionality and necessity tests. These tests ensure that any privacy restriction must be the least intrusive means to achieve a legitimate public interest goal, offering valuable insights for the Indian context.

Recommendations

Guidelines from the Supreme Court

The SC should issue detailed guidelines on striking a balance between the right to privacy and right to mental health care and specify the limits of exceptions to confidentiality. It should ensure consistent and uniform application of the law.

Amendment to the Mental Healthcare Act, 2017

The MHCA, 2017 can be amended to clearly define the circumstances under which breach of confidentiality is permissible. These amendments should be made only with appropriate data protection safeguards in place.

Training and awareness for healthcare providers

Healthcare providers should be mandatorily trained on their constitutional obligations, especially on the need for confidentiality in the context of mental healthcare.

Digital health protections

The State should implement strong data protection laws and technology safeguards to prevent data leaks from EHRs and telemedicine, which are fast becoming the norm.

Campaigns to promote awareness around mental health

The State must take steps to promote mental health awareness. The stigma and fear around mental illness is deep-rooted. Through public campaigns, community initiatives and educational programs, people can be sensitized to approach and receive mental health care without discrimination.

Patient-centricity

Policy-making and implementation must adopt a patient-centric model of care, empowering people to make their own decisions regarding their health information. This will help build trust and respect for the autonomy and dignity of mental health patients.

Conclusion

The privacy-mental healthcare tussle poses a rather complex constitutional conundrum. Although both rights are guaranteed under Article 21, clarity is yet to be brought by the judiciary in terms of which should take precedence in a conflicting scenario. The Mental Healthcare Act, 2017 is a step in the right direction in terms of providing for confidentiality, however the exceptions which have been laid down are too ambiguous and may actually defeat the very purpose of providing rights to patients given the climate of stigma surrounding mental illness in our society.

The appropriate course of action would be for the Supreme Court to provide guidelines on the parameters on which the two aforementioned interests need to be balanced and then for the MHA 2017 to be amended to specifically include a list of exceptions as well as providing for additional data safeguards. In addition, educating health-care providers, ensuring digital health security and building awareness to dispel the stigma against mental illness are of paramount importance.

Privacy and health go hand in hand and are indivisible facets of human dignity. Upholding Constitutional morality – the spirit of liberty, equality and dignity enshrined in the Constitution – is therefore the need of the hour in order to ensure that these rights can coexist without any individual being placed in a position where they need to trade one for the other.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

The Fundamental Right And Duties In Indian Constitution

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Manuscript ID:
JRD -2025-170906
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 21-24
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

This research paper, an attempt has been made to review the fundamental rights and duties given by the Indian Constitution. The Indian Constitution has completed 75 years. At the same time, it is necessary to run the country through the Constitution because the Constitution is a framework through which the government, administration, judiciary, legislature, and parliament run their affairs. At the same time, an attempt has been made through this paper to find out that the Constitution has granted some fundamental rights to the citizens, along with rights, there are also duties.

Keywords: *fundamental rights, constitution, government, parliaments, duties. Etc.*

Introduction:

The origin of fundamental rights and directive principles in our country is from the Indian independence movement. In which the aim of the Indian state was to achieve the values of freedom and social welfare. For this, India took inspiration from historical documents like the Declaration of Human Rights of England, France, and the United States. The demand for civil liberties was a part of the Indian independence movement. One of the aims of the Indian National Congress was to end the discrimination between the British government and its Indian people. This demand was mentioned in the resolutions adopted by the Congress between 1917 and 1919. These included the right to equality, freedom of speech, a constitution made by at least half of the Indian members in political power, and equal conditions for bearing arms as British citizens. The experience of the First World War was very bad, the unsatisfactory Montague-Chelmsford Reforms of 1919 and the rise of M. K. Gandhi in the Indian independence movement changed the approach of their leader to put forward the demands for civil rights. The focus was on ensuring independence for all Indians rather than demanding equal status between India and the British. The Commonwealth of India Bill, drafted in 1925 and drafted by Annie Besant, included demands for fundamental rights. These included freedom of thought, freedom of conscience, freedom of expression, freedom of assembly, non-discrimination on the basis of sex, free primary education and free use of public places. In 1927, the Congress decided to set up a committee to protect against tyranny, Swarajya Constitution, which was formed in 1928 under the leadership of Motilal Nehru. It had a total of 11 members. Their report proposed a list of fundamental rights guaranteed to all Indians and also made several recommendations. These rights were similar to the rights adopted by the country in the United States Constitution. But many of these recommendations were adopted in the 1925 bill and were later included in various sections of the Indian Constitution, along with fundamental rights and directive principles. At the same time, in 1931, the Indian National Congress passed a resolution in its session in Karachi committing itself to protecting the rights of citizens and economic freedom. The aim of which was to end exploitation, provide social security and implement land reforms. This resolution also included other rights, including state posts and bans, universal suffrage, abolition of the death penalty and freedom of movement.

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How to cite this article:
Jadhav, A. D. (2025). The Fundamental Right And Duties In Indian Constitution. Journal of Research & Development, 17(9(V)), 21–24. https://doi.org/10.5281/zenodo.17670054

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670054
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

This resolution, prepared by Jawaharlal Nehru, became the basis of some directive principles even after that. It placed the primary responsibility for social reforms on the state. The influence of the philosophers of socialism and Gandhianism on the freedom movement in India is evident. In the last phase of this freedom movement, the socialist principle was reconsidered in the 1920s, along with an increased focus on the rights of minorities. Which had become a major issue of political concern by then. Which was published in the Sapru Report in 1945. In addition to emphasizing the protection of the rights of minorities, the report also attempted to prescribe standards of conduct for the legislatures, the government, and the courts.

In the last phase of British rule in 1946, the Cabinet Mission to India proposed a Constituent Assembly to frame a constitution for India as a part of the transfer territory only. The Constituent Assembly of India, consisting of indirectly elected representatives from the British provinces and princely states, began its work in December 1946 and completed the work of framing the Indian Constitution by November 1950. In accordance with the Cabinet Mission, an Advisory Committee was appointed in the Legislative Assembly to advise on the nature and scope of Fundamental Rights, protection of minorities and administration of tribal areas. Accordingly, this Committee was constituted in January 1947 with 64 members. Out of these, a 12-member Committee on Fundamental Rights was appointed in February 1947 under the chairmanship of J. B. Kripal. This Sub-Committee prepared a draft of Fundamental Rights and submitted its report by April 1947. At the end of the month, the Committee placed it before the Legislative Assembly. During the year, the drafts of most of them were discussed and accepted by December 1948. The draft of Fundamental Rights included the Universal Declaration of Human Rights adopted by the United Nations General Assembly and some of the provisions of the United Nations Commission on Human Rights. Along with this, the Directive Principles prepared by the Sub-Committee on Fundamental Rights in the Constitution also explained the socialist principles of the Indian independence movement. Along with this, later on, The Fundamental Duties were later added to the Constitution by the 42nd Amendment in 1976.

Objectives:

1. To study fundamental right in indian constitution
2. To study duties of citizen
3. To study history of indian constitutions and fundamental rights.

Research methodology:

Secondary sources have been used to write this research paper. This analyses collecting and presenting information from various newspapers, books, articles, and websites.etc

Fundamental Rights in India:-

Fundamental Rights, enshrined in Part III of the Constitution of India, guarantee civil rights to all Indians and prevent the state from encroaching on individual freedoms and at the same time impose an obligation on the society to protect the rights of citizens. The Constitution initially provided some fundamental rights -

The Constitution of India guarantees six fundamental rights to its citizens:
Right to Equality (Articles 14-18)
Right to Freedom (Articles 19-22)
Right against Exploitation (Articles 23-24)
Right to Freedom of Religion (Articles 25-28)
Cultural and Educational Rights (Articles 29-30)
Right to Constitutional Remedies (Article 32)

Right To Equality:

Right to equality is one of the core rights of the Constitution. It is enshrined inArticles 14-18, which together contain the general principles of equality before the law and non-discrimination and no other right is granted to any caste, for example, a king's son does not become a king unless he becomes a king, and Articles 17-18 which together contain the philosophy of social equality.

Article 14:- guarantees equality before the law and equal protection of the law to all persons within the territory of India. This includes equal subjection to the law of all persons, as well as equal treatment of persons in similar circumstances.

Article 15: Prohibits discrimination on the ground of religion, race, caste, sex, place of birth or any of them. This right can be enforced by the State as well as by private individuals, in the case of free admission to places of public entertainment or places of public resort maintained partly or wholly out of State funds. However, the State is not precluded from making special provisions for women and children or any socially and educationally backward class of citizens including Scheduled Castes and Scheduled Tribes. This exception is provided because the classes of people mentioned therein are considered to be disadvantaged and require special protection.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Article 16: Guarantees equality of opportunity in matters of public employment and Prohibits the State from discriminating against anyone in matters of employment on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of these grounds.
Article 17: The practice of untouchability has been declared a punishable offence under the Act and the Protection of Civil Rights Act, 1955 has been enacted by Parliament to further this objective.
Article 18: Prohibits the State from conferring any titles other than military or educational distinctions and citizens of India cannot accept titles from a foreign state. Thus, the Indian 'nobility titles and aristocratic titles' granted by the British have been abolished.
However, awards like the Bharat Ratna have been held valid by the Supreme Court as they are merely decorations and cannot be used as titles by the recipient.

Right to Freedom (Art. 19-22) Art. 19–22,

which ensure individual liberty, serve as the cornerstone of the Indian human rights framework. As stated in Art. 19, "all citizens shall have the right to freedom of speech and expression; the right to assemble in peace and without weapons; the right to form associations or unions; the right to freely travel throughout the territory of India; the right to freely reside and settle in any part of the territory of India; and the right to practice any profession or occupation or carry on any trade, business, or occupation anywhere in India" are all fundamental rights guaranteed to all Indian citizens. Art. 20 states, "no person shall be convicted of any offence except for violation of a law in force at the time the act charged as an offence, nor shall he be punished with a fine exceeding that which may have been imposed under the law in force at the time of the commission of the offence." In terms of human rights, however, Art. 20's guarantee that "no person shall be deprived of his life or personal liberty except pursuant to the procedure established by law" stands out as the most important provision.

Right against Exploitation (Art. 23-24) Art.

23 and 24 of the Constitution detail the various freedoms that are safe against tyranny, slavery, and other forms of abuse. Art. 23 forbids engaging in human trafficking, begging, or any other type of forced labor. Instead of the more general term "slavery," our Constitution uses the phrase "traffic in human beings," which forbids the trade in women, children, and handicapped people for immoral or other purposes in addition to servitude. (Welch and Leary, 1990). Under Art. 24 of the Constitution, it is illegal to hire anyone younger than 14 to work in a mine, factory, or other potentially hazardous occupation. Therefore, child labor is prohibited, and young people are protected in accordance with their human rights.

Right to Freedom of Religion (Art. 25-28) Articles

Part III of the Constitution provide for the safeguarding of individuals' religious liberties. These include the freedom to lead religious affairs, to teach and preach one's faith without hindrance, to donate to religious causes through taxation, and to receive religious instruction or worship while attending public schools. To put it quickly, these are fundamental protections for religious minorities in India

Educational and Cultural Rights (Art. 29-30)

Some cultural and educational rights for minority communities are guaranteed by Articles 29 and 30 of the Constitution. To paraphrase Art. 30, "all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice." Article 29 guarantees the entitlement of all ethnic, linguistic, and cultural minorities throughout the nation to utilize and conserve their respective language, script, and culture. In a society where the majority holds sway, such as India, safeguarding the rights of minority groups is of paramount importance.

Right to Constitutional Remedies:

Chapter III of the Constitution, which addresses fundamental rights, provides some legal protection for the maintaining of these rights. Under Art. 32, anyone seeking to enforce their rights under Chapter III may do so by filing a petition with the SC. Habeas corpus, mandamus, prohibition, quo warranto, and certiorari are all examples of writs that the SC is given the authority to issue in Clause 2 of this Article. Unless an emergency declaration has been made, this right cannot be revoked.

Fundamental Duties:

Fundamental Duties are the moral responsibility of the citizens of India to foster the spirit of patriotism and maintain the unity of our country. Fundamental Duties were included under Part 4-A of the Constitution by the Constitution (42nd Amendment) Act, 1976. Article 51(a) of the Constitution describes 11 fundamental duties. They shall be the duty of every citizen of India:-

1. To uphold the Constitution and respect its ideals and institutions, the National Anthem and the National Flag.
2. To uphold the noble ideals which inspired our national struggle for freedom.
3. To preserve and protect the unity, sovereignty and integrity of the Indian nation.
4. To defend the country and to render national service whenever called upon.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

5. To promote harmony and a sense of equal brotherhood among all the people of India, transcending religious, linguistic and regional or sectional diversity; to renounce practices which are degrading to the dignity of women.
6. To appreciate and preserve the rich heritage of our common culture.
7. To protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living beings.
8. To develop a scientific outlook, humanism and a spirit of inquiry and improvement.
9. To protect public property and to renounce violence.
10. To strive for excellence in all fields of individual as well as collective activity so that the nation may reach a higher level of continuous effort and achievement.
11. To provide educational opportunities to his child or, as the case may be, to the parents of the child between the ages of six and fourteen years. etc.

Conclusion:

The fundamental rights and duties of citizens are of special importance in the Indian Constitution. Because any citizen of the country faces various difficulties while living his life as well as all the things before the law. It is made clear that no one can discriminate among the citizens of the country on any basis. Due to which it is said that no kind of discrimination can be made in all matters such as thought, freedom of speech, right to own property, right to migrate. But along with rights, there are also some duties, which have been tried to be stated in these guiding principles through the Indian Constitution. Therefore, the Indian Constitution is the supreme according to which it is used to provide law and order in the country as well as equal opportunities to everyone. Therefore, it is highlighted that Dr. BabasahebAmbedkar, with his foresight, has mentioned all these things in the Indian Constitution.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

The Role of Psychology in Promoting Social Change

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Manuscript ID:
JRD -2025-170907
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 25-27
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Psychology plays a pivotal role in fostering social change by influencing individual behavior, shaping public attitudes, and guiding community interventions. It explores how psychological principles contribute to social transformation through media, mental health reform, and entertainment-education strategies. Drawing on empirical studies and theoretical frameworks, it highlights the importance of positive messaging, community empowerment, and culturally sensitive approaches to well-being. The findings underscore psychology's potential to drive sustainable change across diverse societal contexts.Media campaigns grounded in psychological principles can promote healthier lifestyles, reduce stigma, and encourage civic engagement. People must get all medical facilities, economical security, and survival safety. It is very crucial to maintain peaceful environment in the society. The basic condition is that everyone must get opportunity to complete their desired needs. Maslow had also explained that there is a hierarchy of needs. One cannot easily progress without fulfilling the basic needs and desires. When we think about the changes in the society, we must focus our attention to the theoretical model and we must also create an environment where people would easily reach to the self- actualization needs.

Keywords: *Social Change, Media, Mental Health, Happiness, Entertainment-Education*

Introduction

Social change is a gradual and complex process that requires coordinated efforts across individuals, communities, and institutions. Psychology, as a discipline concerned with human behavior and mental processes, offers valuable insights and tools to promote such change. From shaping public discourse to designing interventions that foster well-being, psychology's influence spans multiple domains. Positive information must be informed to people who are living in particular society.

Media and the Dissemination of Positive Information

One of the most powerful vehicles for social change is media. Psychological research emphasizes the impact of positive messaging on public attitudes and behaviors. Media campaigns grounded in psychological principles can promote healthier lifestyles, reduce stigma, and encourage civic engagement. Healthier life style would also include awareness about health, proper diet and standard of living in the society. Mental and physical needs must be fulfilled for developing one's hidden potential. However, the effectiveness of these campaigns depends on strategic planning and community involvement. Media should be used for spreading positive information between two communities as well as two countries. It can completely change the perspective of common people towards communities and countries. It will create harmonious relationship among the citizens. It is generally observed that media is used for spreading negative information about the society and it actually create aversive picture among the mindset of common people.*Positive media* refers to content that uplifts, inspires, and promotes psychological well-being. It includes:

- Stories of resilience, innovation, and kindness
- Coverage of community success and social progress

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How to cite this article:
Kakulte, A. T. (2025). The Role of Psychology in Promoting Social Change. Journal of Research & Development, 17(9(V)), 25–27. https://doi.org/10.5281/zenodo.17670190

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670190
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

- Educational content that fosters growth and empathy

Understanding Happiness and Well-being

Happiness is often defined as subjective well-being**,** which includes:

- **Life satisfaction**: A cognitive judgment of how one's life is going overall
- **Positive affect**: Frequent experiences of joy, gratitude, or contentment
- **Low negative affect**: Fewer experiences of sadness, anxiety, or anger

Psychologist Diener, a pioneer in this field, emphasized that happiness is not just about pleasure—it's about meaningful engagement **and** personal fulfillment**.**

Well-being is broader and includes:

- **Emotional well-being**: Feeling good and managing emotions effectively
- **Psychological well-being**: Having purpose, autonomy, and personal growth
- **Social well-being**: Feeling connected and contributing to society
- **Physical well-being**: Maintaining health and energy

The pursuit of happiness is central to psychological inquiry and social progress. Diener, Horwitz, and Emmons (1985) conducted a seminal study comparing the subjective well-being of wealthy individuals with a control group. Their findings revealed that happiness is not solely determined by financial status; rather, self-esteem and self-actualization were more frequently cited by the wealthy group, while physiological and security needs were emphasized by the control group.

Similarly, Lu (2001) explored happiness through a qualitative lens using Chinese folk psychology. Thematic analysis identified key dimensions of happiness, including mental satisfaction, positive emotions, harmony, achievement, and freedom from ill-being. These culturally rooted perspectives highlight the importance of context in understanding psychological well-being.

Transforming Mental Health Systems

Transforming mental health systems is one of the most urgent and complex challenges facing global health today. Despite growing awareness, millions still lack access to quality care, and outdated institutional models persist in many regions. But change is underway—and it's both promising and multifaceted.

The **World Health Organization (WHO, 2025)** has issued new guidance urging countries to overhaul their mental health policies and systems. Key recommendations include:

- Shifting from institutional to community-based care
- Empowering people with lived experience to shape policy and services
- Integrating mental health into primary care
- Addressing social and structural determinantslike poverty, stigma, and inequality
- Building a skilled and compassionate workforce

This framework is designed to be adaptable across low-, middle-, and high-income countries, promoting inclusive, rights-based care.

Traditional mental health systems have faced criticism for being overly symptom-focused and reliant on professional treatment. Nelson, Kloos, and Ornelas (2014) discussed a paradigm shift grounded in community psychology. Their framework emphasizes ecological awareness, collaboration, empowerment, and social justice. By integrating these values, mental health practices can better support recovery and community integration, particularly for individuals with psychiatric disabilities.

Community Psychology-Community Psychology focus on informal social support and peer support to recover from any disease. Informal support from family and friends is very important for individual well-being (Barrera,2000). Social support enhances people's personal strength and assist them to achieve a higher goal in the life. It also encourages them to develop health life style. Socail support also improves the cognitive function of adult people. Informal social support includes emotional support, guidance, tangible support and socialization process (Nelson, 2014).

Entertainment-Education as a Strategy for Change

Entertainment-education is a communication strategy that blends storytelling with educational content to influence attitudes and behaviors.It's not just about making people laugh or cry—it's about shifting attitudes, sparking dialogue, and influencing behavior in ways that traditional education often cannot.The process of designing and implementing media messages to both entertain and educate, to increase audience members' knowledge about an educational issue, create favorable attitudes, and change overt behavior. It has been used across the world to address pressing social issues:

- **HIV/AIDS awareness**: Radio dramas in Africa helped reduce stigma and promote safe practices.
- **Gender equality**: Indian TV serial Main KuchBhiKar Sakti Hoon empowered women by challenging patriarchal norms (Yadavar, 2018).

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

- **Environmental sustainability**: Cartoons and music videos have educated children on climate action and conservation.

Singhal and Rogers (2012) analyzed how formats such as soap operas, music, films, and theater have been used globally to address issues like health, safety, and social justice. This approach leverages the emotional power of entertainment to engage audiences and inspire action, while also navigating ethical considerations inherent in persuasive messaging. People are more interested in activities which can be beneficial for their child's education and their overall growth.

Communication with various groups in the society

It is well noted down that if we want to reduce the conflict and struggle among the community members or people, we must organize various kinds of program and activities. It would lead to reduction in the negative perception and bias between two communities as well as groups. It is really a good opportunity to interact and exchange the various ideas among the group or society. It can reduce the conflict and aggression among the people. Cooperation is always expected for growing happiness and relations among the group members and community. All medical facilities must be provided by the particular Government to maintain good quality of health among the society.

Conclusion

Psychology offers a robust foundation for promoting social change through media, mental health reform, and culturally sensitive interventions. By understanding human motivation and behavior, psychologists can design strategies that resonate with diverse populations and foster long-term transformation. As societies continue to evolve, the integration of psychological insights into public policy and community initiatives will be essential for building a more equitable and empowered world. There are various NGO who are involved in the social work. If we want to make certain changes in the particular society, we must take the support of different NGO. They can inform their policy by using various types of social media platforms.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

A Study on Challenges in Indian Constitution and Education System

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Manuscript ID:
JRD -2025-170908
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 28-31
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Indian Constitution recognizes education as a fundamental right and sets guidelines for compulsory education. Yet the education system faces challenges such as lack of quality, economic inequality, lack of infrastructure, inadequate training for teachers, curriculum changes, and the urban-rural divide. It is difficult for children from economically backward communities to access the necessary facilities for education, which increases social discrimination. Many schools lack adequate physical facilities, which hinders student development. Teachers are unable to teach students effectively because they do not receive adequate training. It is a challenge to make necessary changes in the curriculum to keep up with the changing times and make it more practical. There is a huge gap between the education system in urban and rural areas, where children in rural areas get fewer educational opportunities.

Keywords: *Indian Constitution, Challenges, Education, Quality, Development, Student, Community, Change, Economy etc.*

Introduction:

Over the past few years, key institutions safeguarding democratic values have been hollowed out. Investigative agencies have been politicized, and the judiciary and media are facing pressures. The politics of division have infiltrated public life, undermining secularism and pluralism, which are core tenets of the Indian Constitution. Terror Laws: The misuse of laws like the Unlawful Activities Act to silence dissent is a direct attack on the Constitution's guarantee of individual liberty, with many undertrials facing prolonged imprisonment despite being acquitted. Highlight the dangers of draconian laws that contravene the Constitution's vision of justice. Ambedkar foresaw the potential for perversion of the Constitution, warning that without embracing constitutional morality, democracy would only be a veneer over an undemocratic soil. Federalism is a constitutional mechanism designed to distribute powers between a central government and regional units. It balances the need for a unified polity with the recognition of regional diversity. This equilibrium is particularly tested when allocating financial resources and resolving inter-jurisdictional disputes. Across different jurisdictions India, the United States, Australia, and Germany federalism manifests uniquely, shaped by historical compromise, constitutional text, and judicial interpretation. This essay explores the concept of federalism, focusing specifically on the allocation of resources and the legal-political resolution of inter-state disputes. The Indian Constitution, revered as the foundational document of the nation's governance, confronts a myriad of challenges spanning internal fissures and external pressures. This comprehensive study delves into the historical backdrop, contemporary complexities, and the indispensable role of the judiciary in upholding constitutional principles.

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How to cite this article:
Mane, P. T., & Chopade, J. D. (2025). A Study on Challenges in Indian Constitution and Education System. Journal of Research & Development, 17(9(V)), 28–31. https://doi.org/10.5281/zenodo.17670319

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670319
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Problems of the Study:

The constitutional fabric is tested by secessionist movements, inter-state disputes, threats to secularism, caste-based politics, and economic disparities.

These intricate dynamics reflect the multifaceted nature of governance in a diverse and complex society. Externally, border disputes and the influence of foreign policies and international treaties add layers of complexity to India's constitutional framework, highlighting the interplay between domestic and global forces. Central to this analysis is the role of the judiciary as the custodian of the Constitution. Through landmark judgments and judicial activism, the judiciary acts as a bulwark against constitutional erosion, ensuring the sanctity of constitutional values and the rule of law.

Objectives of the Study:

The main objective of this research is to study the Indian Constitution and the challenges facing the current education system. Some specific objectives have been detailed by the researcher regarding the Indian Constitution and the education system as follows.

1. To Study the challenges facing the Indian Constitution.
2. To Study the challenges facing the Indian education system.
3. To Study the factors affecting the Indian Constitution and the education system.

Significance of the Study:

Judicial stewardship emerges as a cornerstone in navigating the intricate web of challenges, safeguarding the integrity and supremacy of the Indian Constitution. This research offers critical insights into the evolving landscape of constitutional governance in India, shedding light on the complexities and tensions inherent in the nation's democratic framework. By examining historical trajectories, contemporary challenges, and the pivotal role of the judiciary, this study provides a nuanced understanding of the dynamics shaping India's constitutional journey. Unforeseen interpretations, power struggles, and a potential erosion of the delicate balance between central and state authority could destabilize the nation's political fabric. Tampering with core values like secularism and social justice could further exacerbate social and religious divisions. The path forward, as argued in this abstract, lies not in sweeping pronouncements of rewriting the entire document, but in a nuanced approach that embraces measured change.

Scope of the Study:

India has been a democratic society, the Constitution of India has tried to understand all the diversities of India and has provided such provisions to ensure good governance, but in the changing economic, social and political environment, some new issues and challenges are being faced by the Indian polity. Challenges have been presented that the constitution is ready to face, but there is a need for deep thinking and debate on them, for without debate reliable solution to new challenges is not possible. A national seminar will be organized by the college with the aim of raising these challenges and issues through a brainstorming session and having an intellectual reflection on them.

Limitation of the Study:

The Indian Constitution, a revered document woven from historical aspirations and legal frameworks, stands as the bedrock of the nation's identity. However, amidst the turbulence of the 21st century, the question of revisiting or even rewriting this foundational document has ignited a heated debate. This abstract delves into the intricate arguments surrounding this potential transformation, exploring both the alluring promises of addressing contemporary challenges and the treacherous pitfalls of unforeseen consequences. Advocates for rewriting cite the Constitution's inherent flexibility, arguing that it must adapt to evolving realities like social justice, economic disparity, and federal structures. They envision a more unified national vision through a revised framework that addresses concerns about rising religious and regional tensions. However, opponents raise stark warnings about the potential Pandora's box that rewriting could unleash.

Period of the Study:

Researchers have completed this research by reviewing data from 2025 to study the challenges facing the Indian Constitution and the education system.

Research Methodology:

The researcher has used a variety of secondary resources to study all aspects of the education system, legal system, and constitution in developing and democratic nations like India. This includes research papers, articles, newspapers, audio videos, reference books, serial books, annual reports, texts etc.

Research Method:

In developing democratic nations like India that have adopted a mixed economy, the education system and constitution face many challenges. The Indian education system and the Constitution are very important aspects of India, and the Indian constitutional system plays a very important role throughout the world. In this study, the researcher has studied the challenges faced by the Indian Constitution to the education system using descriptive analysis method.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Results and Discussion:

The Constitution of independent India was prepared by farsighted, scholarly, and knowledgeable representatives of the people after in-depth and comprehensive discussions in the Constituent Assembly, and it reflects the ideals of independent India. The history of the Indian Constitution is generally believed to begin with the British East India Company's Reorganizing Act, passed in 1773. However, after the uprising in 1857, the British East India Company's rule in India came to an end and the British Parliament assumed responsibility for the governance of India. The right to equal treatment. Everyone is equal before the law, but this does not mean that the same law should apply to everyone. Treating equality creates inequality. Income criteria have to be applied while determining the income tax rate. People with the same income have to pay income tax at the same rate; but a person with a higher income has to pay a higher rate than a person with a lower income. The Constitution has clarified that there should be no discrimination on the basis of religion, caste, gender, or race. The special privileges that are available to the Scheduled Castes and Scheduled Tribes are valid because of this. The Constitution states that untouchability has been completely abolished and that Parliament should make appropriate laws against it.

Education as Fundamental Right:

A democracy aims at the maximum development of the individual's personality, and the personality of the individual is inseparably bound with his liberty. Only a free society can assume the progress of its members which ultimately helps the advancement of human. Welfare. Therefore, every democracy pays special attention to securing this basic objective to the maximum extent without, at the same time, endangering the security of the state itself. A common device used by them is to incorporate a list of fundamentals rights in their Constitutions for this purpose and guarantee them from violation by executive and legislative authorities. It is a unique and unprecedented event in the history of India. The creation of the Indian Constitution has a historical background, and its provisions are very important for the formation of a new India. Both these perspectives have been interpreted in this article regarding the Indian Constitution.

Education System India:

The salient features of the Indian Constitution are as follows: the world's largest written constitution, preamble, fundamental rights and duties, directive principles, federal structure, parliamentary system of government, secularism. A fundamental right for children between 6 and 14 years to receive free and compulsory education. An ongoing policy aimed at promoting the acquisition of knowledge, wisdom, and truth, guiding the system towards holistic development. The use of digital learning tools and online platforms has increased significantly, especially after the pandemic, leading to the rise of e-learning and hybrid classrooms. The curriculum includes a mix of traditional subjects like mathematics and sciences with technology, art, sports, and soft skills, complemented by a Choice Based Credit System for flexibility. Efforts are underway to improve infrastructure for children with disabilities, such as ramps, handrails, and accessible toilets in schools.

Education: Challenges and Concerns:

Many classrooms face overcrowding, which hinders individual attention and contributes to high dropout rates. The system is heavily academic, with a relative lack of emphasis on vocational training, limiting practical skills for some students. There can be significant disparities in the quality of education between government and private schools, and across different regions of the country. Ensuring teachers are updated with modern teaching methods and current best practices is a continuous challenge. Despite improvements, there is a significant need to expand educational networks and infrastructure to meet the government's goals, particularly in higher education. The Indian education system is a multi-tiered system including pre-primary, primary, and secondary education, followed by higher education. Primary education is compulsory and free, with secondary and tertiary education also widely available. Key challenges include high dropout rates, especially in secondary and tertiary education, and a need for increased practical application and networking opportunities, though the system produces globally competitive graduates in technical fields. The Indian education system has strengths, such as a deep curriculum, producing globally competitive professionals, and a growing integration of technology, but also faces significant challenges, including issues with infrastructure, quality gaps between private and public schools, unequal access, affordability, and an overemphasis on rote memorization and intense competition.

Benefits of Education:

The main problems in the Indian education system are issues of access and equity, a disconnect between curriculum and real-world skills, insufficient funding and infrastructure, teacher quality and shortages, and an overall emphasis on theoretical learning over practical skills and overall development, which creates a skills gap for students entering the global economy.

1. Creating More Employment Opportunities. 2. Leading to Career Advancement. 3. Securing a Better Income. 4. Developing Critical-Thinking Skills. 5. Improving Self-Discipline. 6. Developing Cognitive and Communication Skills.7. Promoting Equality and Empowerment. 8. Providing a Prosperous and Healthy Life.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Challenges in Indian Constitution:

The Indian Constitution faces contemporary challenges including an erosion of its secular and democratic principles due to the rise of majoritarianism, strains on the federal structure from centralized power, and the need for electoral and institutional reforms. Historical challenges also continue to influence its application, such as addressing deep-rooted social inequalities, managing the complexities of linguistic and cultural diversity, and dealing with a colonial legacy. Policies like the Citizenship Amendment Act and increased communal violence are criticized for undermining India's secular foundation and promoting divisive practices. Conflicts between the central and state governments over power distribution, coupled with the central government's increasing influence, challenge the federal balance. There is an ongoing need for reforms to electoral processes and institutions to ensure they are effective and uphold constitutional values. In areas like Jammu and Kashmir and Manipur, concerns persist regarding human rights violations and restrictions on freedoms, notes Hindus for Human Rights. Growing reports indicate a crackdown on dissent and a weakening of institutional checks and balances, with allegations of misuse of counterterrorism laws.

Historical Challenges of Indian Constitution:

The inherent challenge of uniting a diverse population with varied languages, cultures, and religions, a task that was particularly difficult following the Partition. The foundational paradox of political equality versus deep-rooted social and economic disparities, particularly concerning caste hierarchies, which hinder true fraternity and solidarity. The Constitution's foundation and certain provisions are derived from the Government of India Act, 1935, a legacy that some argue needs to be replaced by a completely new framework. The long-standing challenge of overcoming the dismal socio-economic conditions of the people and ensuring equitable development across the nation. A significant challenge during the Constitution's formation was the integration of numerous princely states into the Indian Union, a task completed by the time the constitution was adopted.

Conclusion:

Despite challenges and setbacks, the Constitution’s values of secularism, pluralism, and liberty continue to resonate among India’s citizens. It is the people, through their collective will and resistance, who ensure that the Constitution’s spirit survives and thrives in India. Ambedkar’s warning that the Constitution’s spirit could be perverted by those in power is a critical reminder of the need for constant vigilance to protect the freedoms and rights enshrined in it. The idea of India is not a static concept but a dynamic, evolving one, which requires active participation and commitment from every citizen to preserve its pluralistic, progressive, and peaceful nature. If the spirit of the Constitution is alive in the hearts of citizens, the idea of India will continue to inspire and guide the nation towards a just and equitable future. The Indian Constitution, a meticulously crafted tapestry woven with the threads of history, aspiration, and compromise, stands as the bedrock of the nation's identity. As India navigates the turbulent waters of the 21st century, the question of revisiting or even rewriting this foundational document has ignited a heated debate. While the allure of addressing contemporary challenges and forging a more unified national vision is undeniable, venturing down this path demands a cautious and measured approach, acknowledging the potential pitfalls that lie in wait.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Economic justice in the age of innovation: startup funding as Transformative tool in India

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Manuscript ID:
JRD -2025-170909
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 32-36
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Execution of national action plan 2016 it has deep impact on Indian entrepreneurship. Micro, small and medium enterprise (MSMEs) play pivotal role in entrepreneurship program at grass root level in India. It foster the economic development through empowering startups. To support for startups (MSMEs) provide various funding schemes for their support. This research paper highlighted the impact of (MSMEs) funding schemes in startup at initial level. The research paper researcher aims to analyze how these schemes facilitate business sustainability, boost to innovation and contribute to the economic development.

Keywords: *MSMEs, PMEGP, CGTMSE*

Introduction

"Entrepreneurship boost the economic growth in the society. Boosting entrepreneurship leads to multiple development in individual level as well as social economic level also. Economic development of entrepreneur increased tax revenue support in the public services. Good entrepreneur creates job in the society. India has emerged one of the renounced startup ecosystem playing important role in the innovation. With the government initiatives, Startup India increased rise in entrepreneur. There is new fields evolved like fintech sector, edutech sector and e- commerce. Startups contribution to India's GDP (Gross Development Course) with development of innovation".

Ecosystem of startup

"Startuprapidlyevolve with establishing network with Incubator, mentor, investor, accelerator, government policies, and supporting industries. Funding to the startups solidified its position in the every sector. Various products services were developed by startups, which boost the Indian economy. India globally developed and achieve in top five ranking in the startup ecosystem globally. Startups have transformative potential in Indian entrepreneurship. With the development of startup ecosystem new sectors like fintech edutech, block chain technology, were developed. Untildate, more than one lakh fifty thousand startups were register in India. Department for promotion of Industry and internal trade is official platform available for startups in India".

Role of incubation center

"Incubation center play pivotal role in development for newly developing entrepreneurs**.** Incubation center creates valuable resources for startups. Incubation center supports startups for their entire entrepreneurial journey. It provide guidance, necessary support, resources to grow the startup in various fields. Basic function of the incubation center for enhance the growth of startups by innovative way. Incubation center provides various types of services like management training mentorship, networking opportunities, funding etc. incubation center always offer business development services on flexible terms and conditions to meet the needs of entrepreneurs. Incubation center worked with the various stages to support"

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How to cite this article:
Jadhavar, P. S. (2025). Economic justice in the age of innovation: startup funding as Transformative tool in India. Journal of Research & Development, 17(9(V)), 32–36. https://doi.org/10.5281/zenodo.17670427

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670427
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Credit Guarantee schemes for startups

"This scheme is applicable to eligible member institutions for funding provided by them to eligible startups. Main objective of this scheme is to provide financial support to startups and small businesses by reducing the risk for lenders. This scheme is launched by MSME and SIDBI. This scheme provide collateral free credit to MSME including startups. This scheme provide up to 5 crore lone. New and existing MSMEs are eligible to apply for this scheme. Eligibility criteria for borrower as below"

- "Startups recognized by DPIIT as per Gazette Notifications issued from time to time.
- Startups that have reached stage of stable revenue stream as assessed from audited monthly statements over a 12 month period amenable to debt financing
- Startups not in default to any lending/investing institution and not classified as non-performing asset as per RBI guidelines.
- Startups whose eligibility is certified by member institution for the purpose of guarantee cover".
  Eligibility criteria for lending/ investing institutions under the credit guarantee scheme for startup as below
- "Scheduled commercial banks and finical institutions.
- RBI registered Non-Banking Financial Companies (NBFCs) having a rating of BBB and above as rated by external credit rating agencies accredited by RBI and having minimum net worth for s 100 crore. However, it may be noted that in case an NBFC subsequently becomes ineligible due to a downgrade in the credit rating below BBB the NBFC shall not be eligible for further guarantee cover until upgradation again to eligible category.
- SEBI registered Alternative Investment Funds (AIFs)"

Skill upgradation Mahila coir Yojana

"This scheme is taken initiative under coir board, which operates under MSME government of India. Aim of this scheme is focusing on empowering women through skill development and encouraging their participation in the coir industry. Under women, empowerment aim is to promote self-employment opportunities for rural women especially in coastal regions. To provide skill development upgradation training in coir processing, value addition and production of diversified coir products. To create sustainable livelihood for women through coir based activates. Along with the promotion of coir industry to modernize and improve the productivity of the traditional coir sector. During the skill development-training stipend were given to trainee. After successful completion of training women are provided with 75% subsidy for procurement for coir processing machinery/equipment. Post training support were given in the form of financial aid in the form of subsidies and continuous mentoring were provided. This scheme facilitates women to start their own micro enterprise in the coir sector. This scheme is applicable for women only. Above 18 year, age can apply".

Trade related entrepreneurship Assistance and Development (TREAD)

"This scheme is an initiative by government of India under MSME. The program aims to promote entrepreneurship among women particularly those from economically weaker section by providing them with financial assistance, capacity building support and skill development opportunities. objective of this scheme is to promote women entrepreneurs to take up self-employment and entrepreneurial activities. Through this scheme, financial assistance provided by credit support through NGOs for women entrepreneurs who often face difficulties accessing loans from traditional banks. Through the capacity building support to enhance the skills of women through training programs workshops, and seminars. Support through NGOs to empower to acts as intermediaries, facilitating credit, training and counseling services to women.NGOs acts as the link between the government, banks and women entrepreneurs. NGOs identify potential women entrepreneurs help them prepare business plans and assist in securing loans from banks. Bank providing loans to NGOs that are then disbursed to women entrepreneurs. The government provides a grant to reduce the repayment burden on women entrepreneurs. For funding government grant upto 30% of the total project cost which is non relatable".

"Bank give around 70%of the project cost which is relatable as per bank terms. NGOs act as guarantors for loans reducing the burden on individual women".

Support to training and employment program for women

"Support to training and employment program for women is initiative by government of India under ministry of women and child. It aims to provide skills that give employment to women and to provide competency and skills that enables them to become self-employed or entrepreneur. This program focuses on empowering women especially those who are marginalized by enhancing their skills and promoting economic independence. Through skill training and hands on practical training sessions taken. Through capacity building soft skills development including communication leadership financial literacy and decision making etc skills developed. Through the placement assistance linking women with potential employers or supporting self-employment ventures. This program implemented through NGOs state government autonomous bodies and other eligible organizations. Under this program, projects are evaluated based on their potential to generate employment and improve livelihoods. For this program, eligibility criteria for implementing agencies should have at least 3 years relevant experience in the field of women skills development and

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

employment. This program is 100% centrally funded which means the government of India bears all the financial cost related to the training, infrastructure, stipends etc. through local NGOs any eligible candidate can apply through online portal like National Career Service or skill India".

Stand up India

"This scheme is government initiative launched by ministry of finance in 2016.It aims to empower women entrepreneurs and individuals for SC and STs by facilitating bank loan to promote entrepreneurship. This scheme focuses on encouraging these underrepresented groups to start their own ventures thus contributing to employment generation and economic growth. Loan amount given 10 lakh to one crore. A compositeloanprovided for starting new enterprises. This scheme includes both term loan and working capital loans. The margin money requirement is only 10% of project cost 90% amount financed by the bank. The loan covered under Credit Guarantee Scheme to eliminate the need for collateral. In this loan, no third party guarantee is required. Each bank branch is mandate to sanction at least one stand up India loan to SC/ST borrower and one to women entrepreneurs. This scheme operate through scheduled commercial banks. For more details SIDBI Stand Up India Portal provide guidance".

Credit Guarantee scheme for micro and small enterprise

"This scheme is flagship initiative by government of India and SIDBIto facilitate credit flow to micro and small enterprises sector without the need of collateral security. It encourages banks and financial institutions to extend loans to MSEs there by addressing their funding challenges. Its aim to provide collateral free credit to micro and small enterprises.Aiming to encourage 1st generation entrepreneur and small business to access formal credit. Under this scheme, credit facilities fund based and non-fund based. It gives maximum two crore are eligible for guarantee coverage.It includes term loans working capital loans and composite loans. This scheme provide various benefits for borrower, for banks and lenders. It helps bridge the credit gap in MSE sector"

Prime Ministers Employment Generation Program

"It is credit linked based subsidy program. This program implemented by ministry of micro, small, and medium enterprises through village industries commission and other nodal agencies. Objective of this program is to generate employment opportunities through the establishment of micro enterprises in rural and urban areas".
Eligibility for this program as below

- "Individual above 18 years
- Self-help group including those belonging to BPL cooperative society and charitable trust
- No educational qualification is required for loans upto 10 lakh however for above 10 lakh the beneficiary must have passed at least 8th grade.
- This program given subsidy patterns like for the urban area 15,%of the project cost and for rural areas 25%of the project cost.
- Applicants must apply via PMEGP e portal.
- KVIC Nodal agency at national level and State khadi boards, district industries Centre and banks"

SIDBI fund of funds for startups

"Funds of funds are the central government's initiative. This scheme is manage by Small industries development bank of India. Aim of this scheme is to develop startup ecosystem in India. Fund of funds provide capital to Alternative Investment funds, which in turn invest in high potential startups across various sectors. This approach helps in channeling investment efficiently to deserving startups through professional fund manager. Objective of this schme is to boost the growth of startup"

Startup India Seed Fund Scheme

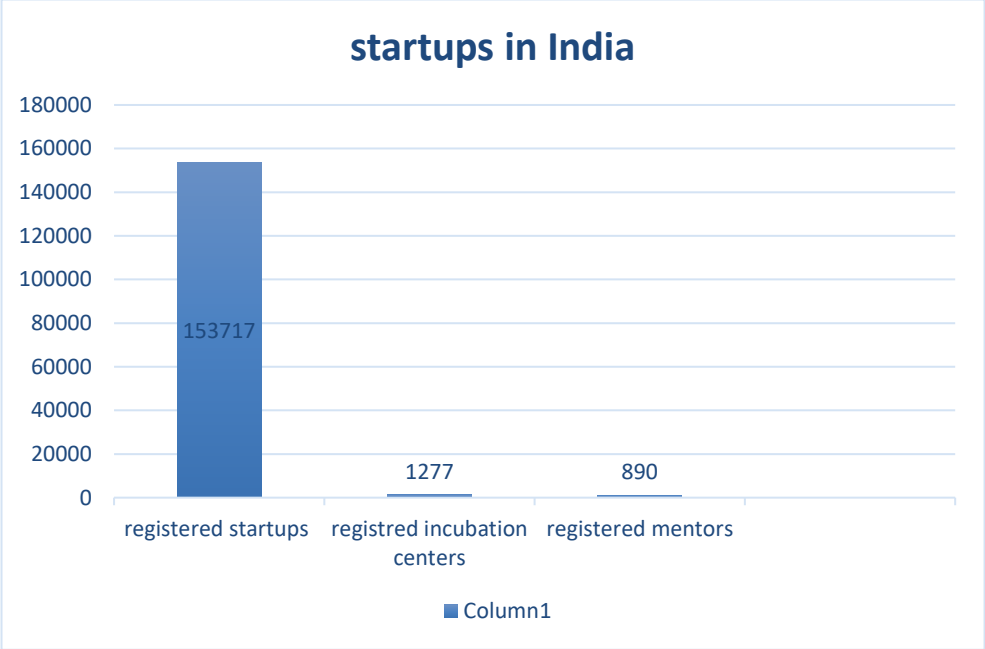
"Every startup must go form various stages of development like ideation to product development stages.Aim of funding to startups is encourage innovation, promote innovative ideas across sectors including technology health, agriculture, education and social impact. Through legally eligible incubation Centers Startup India Seed fund will be given to eligible startups. Financial assistance will be given for eligible startups for proof of concept, prototype development, product trials market entry, and commercialization. For validation up to 20 lakhs as a grant for proof of concept, prototype development, product trials market entry, and commercialization. Up to 50 lakhs for market entry, commercialization or scaling up through convertible debentures or debt or debt linked instruments"
Eligibility criteria for Startup India Seed Fund Scheme as below

- "A startup recognized byDPIIT incorporated not more than 2 years ago at the time of application
- Startup must have a business idea to develop a product or service with market fit viable commercialization and scope of scaling.
- A startup should be using technology in its core product or service or business model or distribution model or methodology to solve the problem being targeted".
- "Preference would be to startups creating innovative solutions in sectors such as social impact waste management and other various sectors.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

- The startups should not have received more than 10 lakhs of monatory support under any other central or state government scheme.
- Shareholding by Indian promoters in startup should be at least 51 % at the time of application to the incubator for the scheme, as per Companies Act 2013 and SEBI (ICDR) Regulations 2018.
- A Startup applicant can avail seed support in the form of grants and debts/convertible debentures each once as per the guidelines of the scheme".

Analysis



The startup ecosystem in India has seen tremendous growth over the past decade driven by government initiative like startup India, evolving investor's interest and a culture of entrepreneurship. A robust network of incubation centers also supports this growth. That fosters innovation and help startups scale effectively. Until more than one lakh, fifty thousand startups were registered. Incubators play pivotal role in nurturing startups by providing mentorship, funding support, and infrastructure and networking opportunities. Until more than one thousand incubation centers were registered in India.

Conclusion

Funding schemes paly pivotal role in the growth and success of startups by providing the necessary financial resources to transform innovative ideas into scalable businesses. Whether it's through government backed programs, venture capital, angel investors or incubation support these funding avenues significantly impact a start up a start up ability to execute effectively in the market. Innovative ideas are the foundation of any startup funding is the fuel that drives these ideas towards successful market execution. Effective use of funding schemes not only helps startups survive in competitive market but also enables them thrive innovate and create lasting economic impact.

Findings

- Expected to create over one million jobs by 2030.
- Strong IT and technology based ecosystem hubs developed.
- Banks taken initiative to lend money for start-ups without heavy collateral requirement.
- Tremendous transformation and opportunities seen in startup ecosystem.

Suggestion

- There is tremendous in e governance, healthcare and e commerce sector.
- Startups must prepare strong business plan for their product development at marketplace.
- With proof of concept each startup demonstrate traction trough MPVs , user engagement and early revenue.
- Startups must aware about legal readiness to ensure compliance with DPIIT recognition, GST, Certificate of Incorporation, and IP rights.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Disaster vulnerabilities, Constitutional and Institutional Framework in Sangli District

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Manuscript ID:
JRD -2025-170910
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 37-43
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract:

Disasters are natural and man-made. A disaster is an event that causes serious harm to people, buildings, economies, or the environment, and the affected community cannot handle it alone. Sangli district faces many natural disasters such as flood, drought and earthquake. But flood and drought are major disasters in this region. Present study focused on to examine the geographical vulnerabilities of Sangli district with reference to floods and droughts, to analyse the constitutional provisions relevant to disaster management, to study the institutional framework in Sangli District. The present study is based on secondary data with qualitative and descriptive approach that combines geographical analysis with constitutional and legal framework. Also used remote sensing data of LST temperature and rainfall for drought analysis. SRTM data used for analysis regions Susceptible to flood. Concluding remark of this study is Sangli district faces dual geographical vulnerabilities such as floods in western talukas and droughts in eastern talukas. Flood is major disaster in this district. Eastern part experienced high temperature and low rainfall. It is 579 mm and 40^0c respectively. The Constitution of India, through rights, DPSPs, and decentralization under the 73rd and 74th Amendments, provides a strong foundation for disaster governance. The institutional framework, including the Sangli DDMA, MSDMA, SDRF, and national agencies like NDRF, ensures preparedness, response, and rehabilitation. However, long-term solutions such as river basin management, river linking, increase agriculture land, improved drainage system in urban areas, and community participation are essential to reduce disaster risk in Sangli.

***Keywords**: Disasters, Flood, Drought, Earthquake, SRTM, LST, DDMA, MSDMA, SDRF, NDRF.*

Introduction

Cutter et al. (2008) A disaster is "a serious disruption of the functioning of a community or a society involving widespread human, material, economic, or environmental losses which exceeds the ability of the affected community or society to cope using its own resources." Disaster management is not the responsibility of anyone. The government, all elements of the government apparatus, various professionals, industrialists, their groups/associations, social institutions, educational institutions, families and every individual among them need to participate in the management of disaster. Sangli district, located in Western Maharashtra, is known as the “Sugar Belt” due to its rich agricultural productivity. However, its geographical location along the Krishna and Warna rivers also makes it highly prone to recurrent floods. Apart from floods, Sangli faces periodic droughts in its eastern talukas, making it a region of dual vulnerabilities. To address these risks, both the Constitutional framework of India and the institutional mechanisms at state and district level play crucial roles in disaster preparedness, mitigation, and response.

Objectives

Objectives of this study are given below: -

1. To examine the geographical vulnerabilities of Sangli district with reference to floods and droughts.
2. To analyse the constitutional provisions relevant to disaster management
3. To study the institutional framework in Sangli District.
4. To suggest recommendations for improving disaster management in Sangli District.

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How to cite this article:
Patil, S. V. (2025). Disaster vulnerabilities, Constitutional and Institutional Framework in Sangli District. Journal of Research & Development, 17(9(V)), 37–43. https://doi.org/10.5281/zenodo.17670495

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670495
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

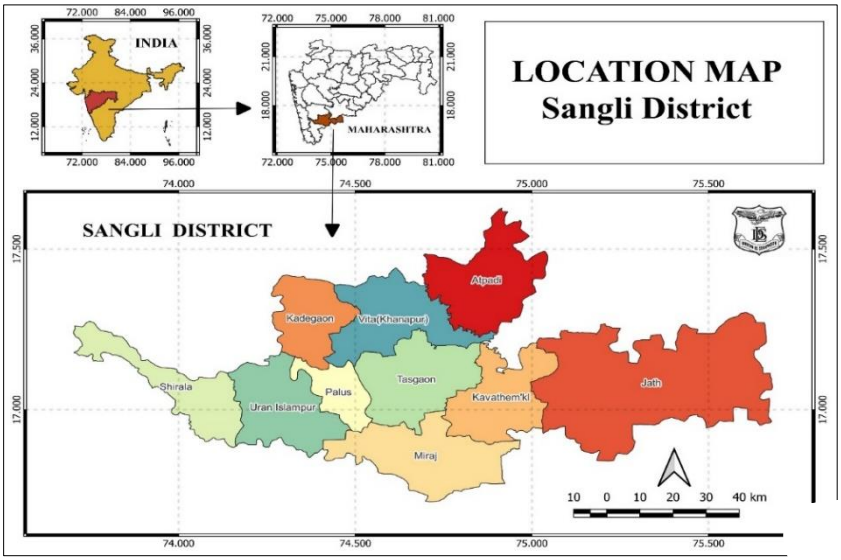
Methodology

The present study is based on secondary data with qualitative and descriptive approach that combines geographical analysis with constitutional and legal framework. Also used remote sensing data of LST temperature and rainfall for drought analysis. SRTM data used for analysis regions Susceptible to flood. The methodology involves the following steps:

1. **Review of Literature** – Studied government reports, Sangli District Disaster Management Plan (DDMP), MSDMA & NDMA guidelines, and academic research.
2. **Geographical Analysis** – Identified flood-prone zones (Krishna & Warna basins), drought-prone areas (Jat, Atpadi), and moderate seismic zones.
3. **Constitutional Framework Study** – Reviewed Articles (21, 38, 47, 48A), DPSPs, Fundamental Duties, and 73rd & 74th Amendments relevant to disaster governance.
4. **Institutional Framework Study** – Analysed DDMA Sangli, MSDMA, SDRF, NDRF, and role of local bodies & NGOs.
5. **Case Studies** – Examined the region vulnerable to flood of krishna river, recurring droughts in eastern Sangli.
6. **Technical Analysis: -** use global mapper, QGIS and Google earth engine for mapping.
7. **Interpretation & Recommendations** – Linked geographical vulnerabilities with constitutional and institutional mechanisms to suggest sustainable solutions.

Study Region

Sangli is a district in the western part of Maharashtra state. The area of the district is 8,572 sq. km. and covers 2·79% of the total land area of Maharashtra state. The population is 28, 22, 143 (2011) and the population of Sangli district is 2.51% of the total population of the state. The latitudinal extent is 16° 45' N. to 17° 33' N. latitude and the meridional extent is 73° 42' E. to 75° 40' E. longitude. The east-west length is 205 km. and the south-north width is 96 km. Sangli district is located in the southern part of western Maharashtra and is bordered by Satara district and Solapur district to the north, Karnataka state to the east and south, Kolhapur district to the south-west and some part of Ratnagiri district to the west. The district enjoys a natural boundary of 12·87 km. in the very west. Sangli district has a total of ten talukas: Miraj, Tasgaon, Khanapur, Atpadi, Jat, Kavathe Mahankal, Walwa, Shirala, Palus and Kadegaon. Sangli city (population 5, 02,793 – 2011) is the district headquarters.



Map 1: Location map.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
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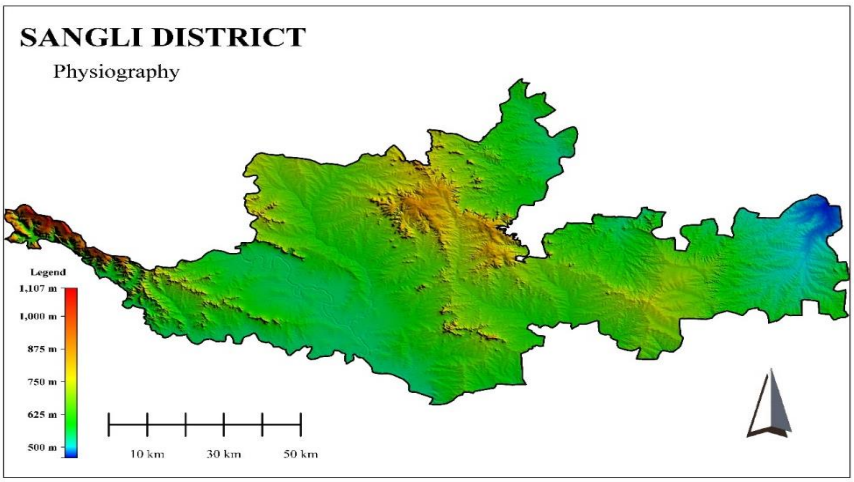
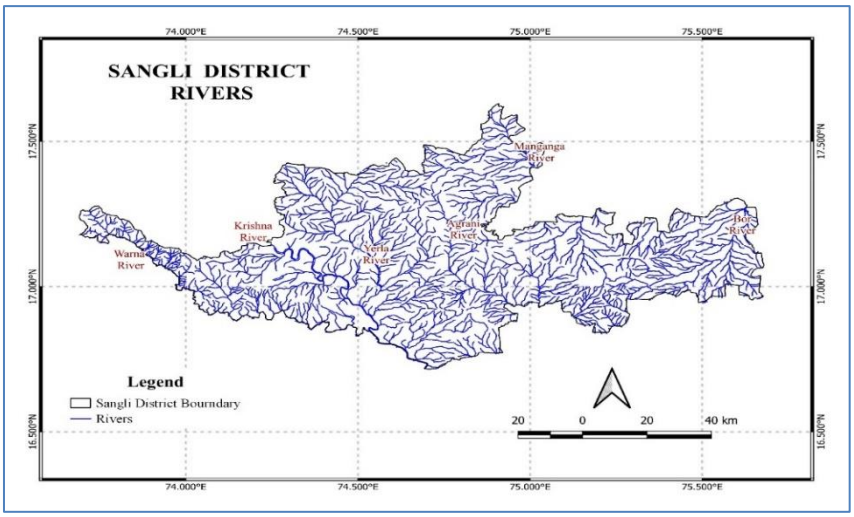
Case study
Geographical Analysis of Disasters in Sangli District



Map 2: Physiography of Sangli District.

The physiographic structure of the district is very diverse. According to the topography, Sangli district is divided into three main natural divisions: (1) the western hilly region, (2) the fertile and low-lying plains of the Krishna valley, and (3) the eastern region.



Map 3: Drainage System.

The western part of Sangli district is hilly. It includes a large part of Shirala taluka and some parts of Walwa taluka. The east of the western hilly region is the low-lying and fertile plain of the Krishna, Warna and Yerla rivers. This includes the entire area of Walwa, Miraj, Palus talukas as well as most of Tasgaon, Khanapur and a small part of Shirala taluka. Krishna is a river flowing through Satara district and its course in the district is 130 km. It flows through Walwa, Palus and Miraj talukas first in a west-east and then in a northwest-southeast direction. The Krishna River basin is a fertile part of the district. The Warna River flows into Haripur in Sangli district and joins the Krishna. There is confluence of Warana and Krushna river. These two rivers are major water source in this district.

Disasters in Sangli District

1. **Floods (Major Disaster):** Sangli district is heavily flood-prone due to its location in the Krishna and Warna river basins, with talukas (like Shirala, Walwa, and Palus) being particularly vulnerable to floods. Villages in Sangli district susceptible to flooding of krishna river are typically located in the Miraj, Palus, and Walwa talukas, particularly along the banks of the Krishna rivers. Specific examples include Dudhondi, Bhilawadi, Punadi, Khed, Mouje Digraj, Kasabe Digraj, Aitawad Khurd, Kanegaon, Koregaon, Shigaon, Sawalwadi, Baya Borgaon, Amnapur, Dudhgaon, Samdoli, Vasagade, Brahmanal, Burli, and Sangalvadi. These areas are susceptible due to heavy rainfall in their catchment areas and the discharge from dams like the Koyna and Chandoli dams. The Krishna and Warna rivers often overflow during heavy monsoons, causing floods in Miraj, Palus and Walwa

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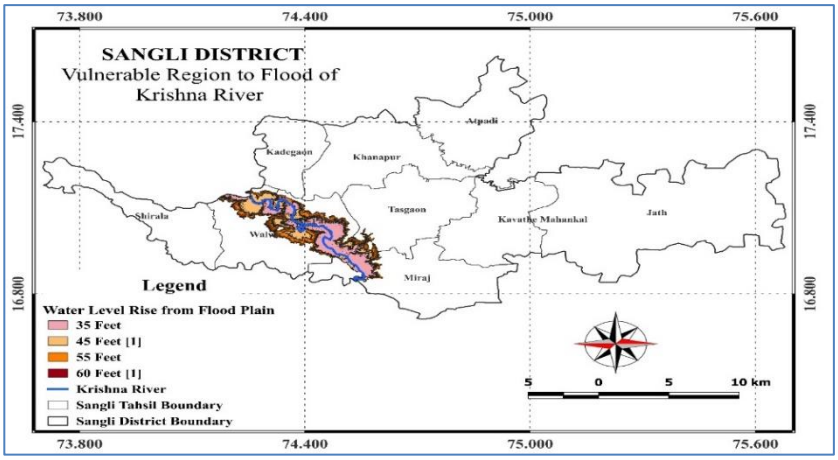
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

talukas. The 2019 floods in Sangli and Kolhapur districts displaced over 3 lakh people and caused massive agricultural losses. The 2019 floods affected thousands of citizens and several villages along these rivers, with some regions seeing water levels reaching dangerous heights and impacting both urban and agricultural areas. Jat, Tasgaon, Kadegaon, Atpadi, Vita and Kavathe mahankal tahsils are safe from flood. Heavy rainfall in Western Ghats caused Krishna and Warna rivers to overflow. Over 200 villages submerged, and thousands displaced. Response included deployment of NDRF, Indian Army, and local volunteers.



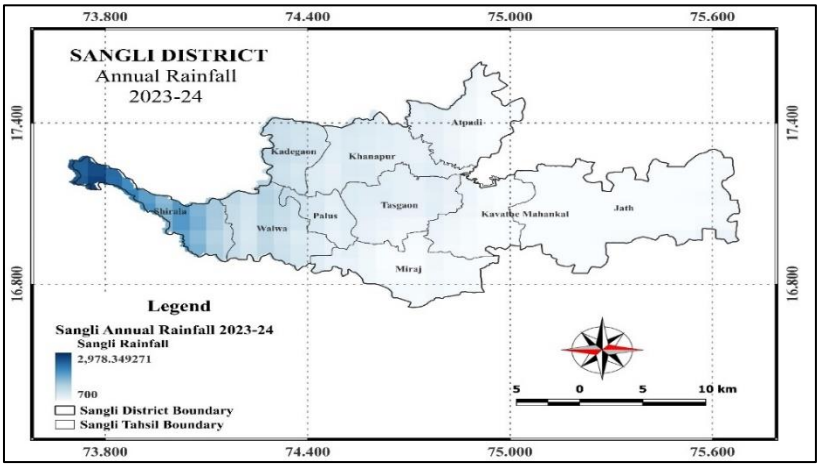
Map no. 4: Venerable Region to Flood of Krishna Rive.

Table no.1 Area of Venerable Region to Flood in Sangli District (in Sq. Km)				
Rise water level in feet	35	45	55	60
Area covered (in sq. km)	246.22	390.28	493.87	536.45

Above map no.4 and table shows the vulnerable region to flood of Krishna River. Water level rise 55 feet from flood plain cove 493.87 sq. km. area of basin. Its highest level of flood and its destroyed life of human being.

2. **Droughts:** Eastern parts of Sangli (eastern part of Miraj, Kavathe Mahankal, Jat, Atpadi, Tasgaon, Vita and Kadegaon) fall in the rain-shadow region, frequently experiencing droughts due to low and erratic rainfall. Palus, Shirala and Walwa tahsils are come under humid zone. The total geographical area of the drought districts is 108 M. ha. Out of w' ·h 81 M. ha. is culturable, gross sown area is 61.9 M.ha.

Jat, Kavathe Mah al and Atpadi talukas often face crop losses due to water scarcity. Government introduced watershed develop and *Jalyukt Shivar Abhiyan* to mitigate drought impacts. Above map shows annual rainfall distribution. It incr s from east to west. There is seen minimum rainfall receive in eastern part of district and maximum rainfall receive in western part of district. It is 700mm 2978 mm respectively.



Map 5: Annual Distribution of Rainfall.

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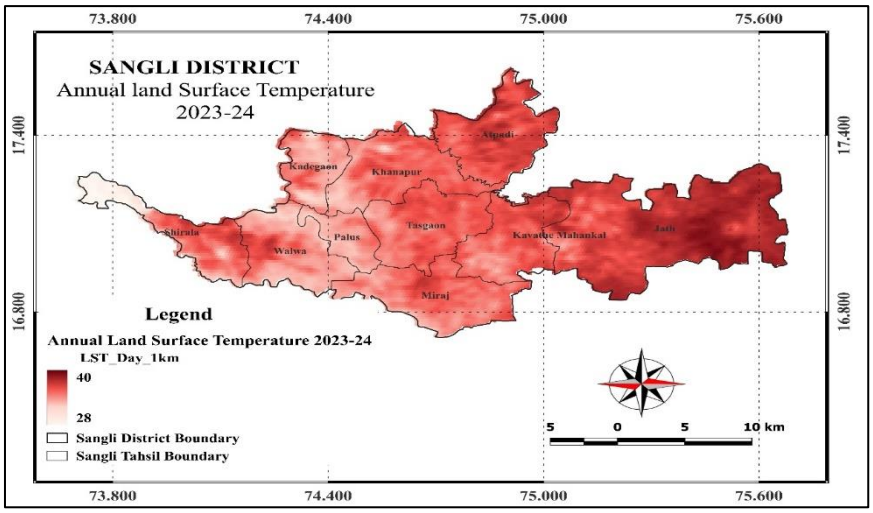
Shirala, Walwa, Palus, Kadegaon, western of the Miraj this tahsils are come under humud region along the year, but jat, kavathemahankal, atpadi, vita, tasgaon and eastern part of Miraj is arid region. It indicates the eastern part of district experienced drought. It susceptible to drought.



Map 6: Annual land Surface Temperature Distribution.

Map no. 6 shows the distribution of annual land surface temperature. It indicates temperature increase from west to east. It is 28^0 c to 40 ^{0} c. Eastern part of experienced high temperature in summer season. It is susceptible to drought.

3. **Earthquake Risk (Moderate):** Sangli district lies in a low-to-moderate seismic zone, but tremors from the Deccan plateau fault lines occasionally affect the district. Chandoli region is slightly earthquake prone area lies in sangli district.
4. **Other Hazards:** Urban flooding in Sangli city due to poor drainage. Crop diseases and pest attacks that worsen agricultural vulnerability. Crop stress is experience in eastern part of sangli district.

Constitutional Framework for Disaster Management

While the Constitution of India does not explicitly mention "disaster management," several provisions provide a foundation for action:

1. **Fundamental Rights:** *Article 21 (Right to Life)* obligates the State to safeguard citizens during disasters.
2. **Right to Equality (Article 14):** Ensures equal access to relief and rehabilitation.
3. **Directive Principles of State Policy (DPSPs):** *Article 38 & 39* emphasize social welfare and equitable resource distribution. *Article 47* directs the State to improve public health, vital during flood epidemics. *Article 48A* focuses on environmental protection, crucial for sustainable flood management.
4. **73rd and 74th Amendments:** Empower Panchayati Raj Institutions and Municipal Corporations to take local-level disaster preparedness and response measures.
5. **Fundamental Duties (Part IVA): Article 51A(g):** Every citizen must protect the environment, forests, and wildlife, thereby contributing to disaster prevention.
6. **Emergency Provisions:** Under **Articles 352–360**, the Union can assume greater powers during war, external aggression, financial instability, or threats to security, which may overlap with disaster situations.
7. **Concurrent List:** Subjects like social security, environment, and public health allow both Centre and State to make laws relevant for disaster governance.

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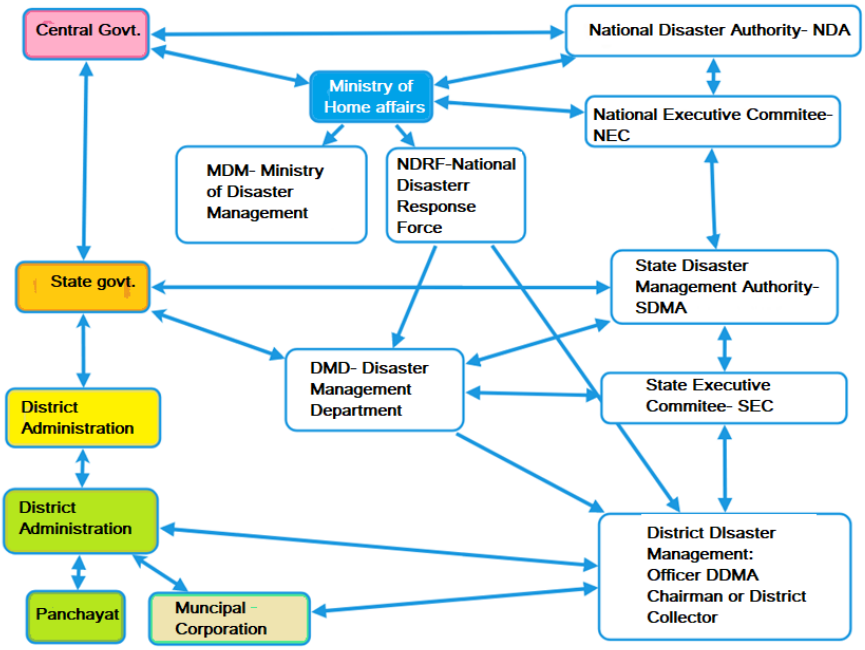

Institutional Framework in Sangli District

1. **District Disaster Management Authority (DDMA):** Headed by the District Collector, Sangli DDMA prepares the **District Disaster Management Plan (DDMP)**. Coordinates flood forecasting, relief camps, evacuation, and rehabilitation.
2. **State Support Mechanisms: Maharashtra State Disaster Management Authority (MSDMA):** Provides guidelines and financial support.
3. **State Disaster Response Force (SDRF):** Works with local authorities during major crises.
4. **National Support: National Disaster Response Force (NDRF):** Deployed during the 2019 floods for rescue and evacuation. **Central Water Commission (CWC):** Monitors Krishna River water levels and issues flood warnings.
5. **Local Governance & Community Role: Gram Panchayats & Municipal Councils:** Disseminate early warnings, coordinate shelters, and distribute relief. **NGOs & Self-Help Groups:** Provide community support in evacuation, food distribution, and post-disaster recovery.

Conclusion

Sangli district faces dual geographical vulnerabilities—recurrent floods in western talukas and droughts in eastern talukas. Shirala, Walwa, Palus, Kadegaon, western of the Miraj this tahsils are come under humud region along the year, but jat, kavathemahankal, atpadi, vita, tasgaon and eastern part of Miraj is arid region. Eastern part experienced high temperature and low rainfall. It is 579 mm and 40^0c respectively. It indicates the eastern part of district experienced drought. Water level rise 55 feet from flood plain cove 493.87 sq. km. area of basin. Its highest level of flood and its destroyed life of human being. The Constitution of India, through rights, DPSPs, and decentralization under the 73rd and 74th Amendments, provides a strong foundation for disaster governance. The institutional framework, including the Sangli DDMA, MSDMA, SDRF, and national agencies like NDRF, ensures preparedness, response, and rehabilitation. However, long-term solutions such as river basin management, climate-resilient agriculture, improved drainage in urban areas, and community participation are essential to reduce disaster risk in Sangli.

Recommendations

1. Flood Management: Develop a Krishna–Warna River Basin Management Plan for better coordination of dam releases (Almatti, Koyna, Ujjani, Warna dams). Install automated flood early warning systems linked to the Central Water Commission (CWC) and IMD for real-time alerts. Strengthen embankments and flood protection walls around vulnerable villages and Sangli city. Create floodplain zoning regulations to restrict settlement and construction in high-risk zones.

2. Drought Mitigation: Expand watershed development projects (like *Jalyukt Shivar Abhiyan*) in drought-prone talukas (Jat, Atpadi, Kavathe Mahankal). Promote micro-irrigation techniques (drip and sprinkler) to reduce dependence on rainfall. Encourage crop diversification away from water-intensive sugarcane to drought-resistant crops like jowar, bajra, pulses, and oilseeds.

Journal of Research and Development
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3. Institutional Strengthening: Regularly update the District Disaster Management Plan (DDMP) with GIS-based hazard maps. Establish a dedicated Sangli Disaster Response Force (local SDRF unit) for immediate rescue operations. Conduct mock drills and capacity-building programs for officials, local bodies, and communities.
4. Community Participation: Promote Community-Based Disaster Risk Reduction (CBDRR) by involving Gram Panchayats, NGOs, and self-help groups. Train local volunteers in first aid, search and rescue, and relief distribution. Strengthen school and college disaster clubs for awareness and preparedness.
5. Technological and Data Support: Use GIS and remote sensing to map flood-prone and drought-prone areas at the micro-level. Develop a mobile app for Sangli residents to receive alerts, report emergencies, and access relief information. Set up a real-time weather and river monitoring network across vulnerable talukas.
6. Health and Social Security: Improve public health preparedness to tackle epidemics after floods (malaria, dengue, cholera). Establish permanent shelters and relief centres with adequate facilities for women, children, and elderly. Strengthen crop insurance and relief compensation mechanisms for affected farmers.
7. Long-Term Climate Resilience: Integrate climate change adaptation strategies in district planning. Promote afforestation and eco-restoration in the Western Ghats to reduce landslides and regulate water flow. Encourage sustainable urban planning in Sangli city with improved drainage systems.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Detachment, Rebel And Search For Self Identity A True Buddhist Journey In Arun Joshi's The Strange Case For Billy Biswas

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Manuscript ID:
JRD -2025-170911
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 44-47
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Strange Case of Billy Biswas by Arun Joshi is a story about the hero's conflicts of mechanical codes of conducts in urban civilization and a search for peaceful life and self-identity. It is an aesthetic presentation of the sterility of contemporary mechanical urban world as opposite to the peaceful Bhil tribal world. Born and brought up in an upper middle-class, the protagonist has a disgust and unwilling attitude to live in an artificially toned culture. He has strong desire and attraction for the world of tribal beauty and their culture. It is his shift from the mechanical realities to the natural and meaningful reality. The protagonist depicts a true Buddhist journey from the in-depth realization of the sources of suffering to the meaningful search of the self-identity in the company of true nature. It is his journey from the endless sufferings to the intended self-search. It is the journey from protagonist's realization, detachment, rebel to the self-search, a drift from restless to tranquillity. Modernity and tradition are starkly visible as two different worlds in this novel.

Keywords: *Buddhism, Rebel, Detachment, Suffering, Absurdity, Existentialism, Conflicts, Power, Peace, Ambition, Renunciation.*

Introduction:

The Strange Case of Billy Biswas is a compelling novel that focuses on different concepts in Buddhism such as realization of true meaning of life, sources of sufferings, detachment, rebel and search for the true self-identity. Billy is in search of the quest for answers about his existence and true meaning of life with peace. The novel and the protagonist, Billy can be seen through the perspective of life of Siddhartha, who abandons the material approach and leaves everything and everyone near and dear to him from the urban civilization in search of the 'self'. Arun Joshi makes the intellectual exploration into the existential questions through the protagonist Billy. Billy, as the son of a judge from the upper middle-class family, especially Hindu family, is fed up with the modern world around him including the social norms and conditions. He detests the so called 'civilization' where he feels as a prisoner of artificial codes and conducts. His definition of happiness is different from that of the 'conditioned civilized society'. He is a free spirit and in search of the self-identity. He is interested in a quiet place like the primitive worlds from his childhood. The present novel explores his journey from 'detachment to the search of the self'. It was written at the time when India was looking forward to become 'modern' after emerging century's crises.

Protagonist's Realization of the Human Existence and Detachment from the Modern Civilization:

In India, before 2500 years ago, there was a prince named Siddhartha. He was provided with everything material including material and sensual pleasures. He was also the part of political power along with his father Shuddhodhana. Still, he gave up everything when he realized the meaninglessness of the life outside until the search of the self.

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How to cite this article:
Raut, S. M. (2025). Detachment, Rebel And Search For Self Identity A True Buddhist Journey In Arun Joshi's The Strange Case For Billy Biswas. Journal of Research & Development, 17(9(V)), 44–47. https://doi.org/10.5281/zenodo.17670577

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670577
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Siddhartha, when achieved 'Enlightenment' said to the world that 'samsara' is not the ultimate goal of every human being. Instead, every human is borne alone and he or she has to find out the meaning of being on this earth i.e the self. In this search of the 'self' he abandoned all the materialistic pleasures around him. The selected novel for paper The Strange Case of Billy Biswas stands metaphorically equal to the life of Siddhartha's life. Billy (Bimal) Biswas, the son of a Supreme Court Judge is send to school in England and further to America to study engineering. While living in New York, Billy observes the mechanical and artificial culture with readymade norms and ethics. He has everything around him. He thinks about many questions about the self and the society. But still from within he feels empty in a 'white civilization'. That is why he decides to stay away from the civilized norms and in the outskirts of American society. He seems unmatched to the prevailing educational system. His inner trodes towards the question like 'who i am?

Billy is much interested in the past than the present. While studying Anthropology, he believes that the past was much good than the present. This is the reason he leaves his engineering incomplete and prefers Doctoral degree in Anthropology, the study of ancient civilization. He is constantly in conflict with the modern technocratic worldview. According to him, modern society propagated a single and diverse worldviews, whereas the primitive tribal life had plural and diverse worldviews. Billy hates the civilization and detaches for the rush of reaching their goals and ambitions. To quote, What kept us happy were the same things that have kept all the primitives happy through the ages; the earth, the forest, the rainbow, the liquor from the 'mahua' an occasional feast, a lot of dancing and love making, and more than anything else no ambition, none at all *(p.107)*

It is certain that Billy uses the word 'ambition' to differentiate between the modern society and tribal society. It is ambition and the urge to perform that drives the civilized society. On the contrary, the tribal society is free from every ambition. It lives in tandem with Nature. Billy says, every child born into a system with expectations of which often the child is not even aware of it. To quote, What made me unhappy, I suppose, was the awareness that all that i wanted most was just there, across the little patch of jungle, screaming to be taken, and I could do nothing but sit there in that stupid chair all tied up in a knot by a stifling system of expectations which i did not yet understand but in which, I knew, I had the misfortunes to be born (p.92)

Billy is 'strange' because he thinks that prevailing norms of civilized society do not fit him. Having everything enough such as money, friends, wealth and materials he still feels alienated. It is in New York that Romi first meets Billy. Romi is surprised that Billy is living in Harlem, a slum area where Black people live. Billy says that 'White America' is too civilized for him. Billy's alienation is not a result of sudden leap in his personality. But his 'strangeness' is depicted in his quest from his very childhood. Being a child in past he seems to extend his maturity through the quest of his visits to the age old places like Bhubaneshwar and Konark. Similarly, his visit to the tribal people has always been the subject of his quest. Being extremely sensitive, he sees and likes the tribal life including the tribe, their dance, singing, and making love naturally. The tribal life appeals him much as he feels closer to the natural life. Somewhere he compares the urban norms and the mechanical living of the urban people. This is the reason of his restlessness. It leads him to detach from sophisticated world. The upper class society seems to him different from that kennel full of dogs. He is fed up with his wife's artificial living, the greed, avarice and riches. He abandons his wife Meena and his child and decides to live with the Bhil tribe. Of course the person who is not stable in a 'conditioned framework' of society always tries to break that framework, either individually or with the majority for his unending questions to the reality. That is the reason that he decides to change his stream of education and search of life among the tribals.

While doing his anthropological expeditions he finds himself deep down in Satpura Hills to understand the meaning of life and human relationships. Being married to a well educated Meena Billy does not find in her a good partner. He makes a comparison of his married life with the tribal peoples natural freedom and genuine independency. Meena is a product of the money machine culture. She is much interested in glamour i.e. the outer world. He says, "Communication between us was reduced to Zero" (p.186) Billy hates her mechanical approach. Instead, he feels natural with Bilasia, a tribal woman as she enhances his soul. In short, not only materially but even sensually Billy is frustrated in his marriage life. Consequently, he becomes socially isolated to find out the answers of life and the meaning of his existence. Hence Hari Prasad remarks,

Crisis of self and a quest for fulfilment, the fin mot of The Foreigner, continues to be the central experience of Arun Joshi's next novel The Strange Case of Billy Biswas. The deeper significance of the work can properly be discerned if it is explicated both as an indictment of the phony, hot-shot, sordid modern culture and as an embodiment of Purush-Prakriti unification, particularly in the context of Sankhya philosophy. (Arun Joshi, 87) In short, the first part of the novel gives a context to understand the distracted and fractured psychology that tortured Billy and his non judgemental identity. He felt himself to be a rebel in the so-called civilised society. He becomes involved in exploring inwardness of life. It is Romi who rightly concludes in the opening "If life's meaning lies not in the glossy surfaces of our pretensions....then i don't know of any man who sought it more doggedly and...Abandoned himself so recklessly to its call" (p.08)

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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Billy Biswas as a Rebel:

A rebel is a spiritual phenomenon. It is an individual approach. It is an individual approach. According to the rebellious person if we want to change the society, we have to change the individual. Society in itself does not exist; it is only a word like crowd. Whenever you encounter someone you encounter the individual. Society is only a collective name, not a reality-with no any substance. The individual has a soul and a possibility of evolution, of change, of transformation. The rebel brings a change of consciousness. Rebellion is a discontinuity. It is not reform, it is not revolution; it is simply disconnecting yourself from all that is old. The old religions, the old ideologies; even the rebel disconnects himself/herself from the prevailing truth. Simply, a birth of a rebel is the death of the old.

From the above point of view, Arun Joshi presents the extraordinary skill of how Billy gets alienated from the material world. He is not ready to accept the common standards. Billy rejects the Hindu culture. He accepts, on the contrary, the tribal life, their myths and legends, their worshiping gods and goddesses and the tribal belief in the super power as he feels fulfilled when he becomes the part of tribal life. For him, it is the 'collective conscious' which shapes the life of an individual. The Bhil tribe looks uncivilized but in truth it has deeply rooted codes of individuals which are not seen by Billy in the white culture. The white culture is uplifted by the material standards but has failed in human standards. That is why Billy decides to accept the life of tribal, an authentic natural life of joy and peace. That was his childhood dream. Billy marries Bilasia, a beautiful tribal woman. It is his rebellion against the civilized marriage system where the emotional bonding did not take place. He believes in natural affinity and sees it in Bilasia. To quote,

*"*Billy comes to live among the tribes identifying himself totally with them and their way of life and marries Bilasia who symbolizes for him the elemental in nature and who understands his need for 'being left alone'. Their union exemplifies that of anima and animas in the Jungian connection or that of 'Prakriti' (Bilasia) and 'Purusha' *"* (Naik 60)

Billy Biswas often 'listens' to his inner voice much to the surprise of people around him. In the discussion about a government clerk murdering a boy, Billy and his father discuss the happenings and case in details. Billy argues that there might be a case of 'temporary insanity' but his father does not accept a concept of 'temporary insanity'. Billy says that there are worlds that the material world may not be aware of. He has already studied about tribal life and has seen free societies since his childhood. At the unconscious level it is his urge to accept that way of life. Indirectly, he says it to his father but his father could not understand his inner psyche. To quote, All I am saying that there are worlds at the periphery of this one, above it and below it, and around it, of which we know nothing until we are in them (p. 40)

Billy's rebellion is seen when he decides to study anthropology than the engineering. He likes a person living in harmony with nature and follows his heart. When Romi asks him about weather Billy's family know about Billy studying anthropology instead of engineering. To quote, My parents do. My father is mad with rage. "Anthropology!" he screamed in amazement when i told him. "Anthropology! Of all things you had to go and do anthropology." He thinks the man is governed by only engineering and law and nothing else, rather a disgraceful point of view for a Justice, don't think? (p.25)

In Search of Self-Identity:

Billy's quest for anthropology is his belief that the peaceful life exists somewhere in the past. It is not possible to find it in the present prevailing society. This is the reason that his inborn quest makes him aloof from the prevailing standards in the three cultures. Meenakshi Mukharjee has remarked that "Renunciation or alienation has always been Indian ideal life" Billy's self is not a social production of his 'I'. It is the universal creation or natural appeal towards joy, peace, aloneness, love, compassion and help. It is his 'should be identity' for everyone. He believes in the society where naturalness in understanding, natural belief and value system existed; where every single person is accepted as a unique individual; where everyone's individual opinions are taken to be considered. Billy's life in a white culture was alienated because his belief system comes from the natural spontaneity. Opposite to this, his life in civilized societies was no less than hell. Instead, a tribal life is the life of newness, communal acceptance, respect and understanding. Billy's arrival into tribal society is marked with festivities as they treat him as the human-god and reincarnation of the tribal king. He knows that he is no god and the beliefs of the tribes are only assumptions. But he realized the real life is not in the grown up materialised culture but among these tribal people. This is the reason he felt connected to the Tribal life.

Billy's quest for 'self' is seen when he does not give his manly concern and care to his wife and his child. It shows his disinterestedness in a 'conditioned' mentality. He does not find a fulfilment in 'being happy'. His frustration leads him to the library where he spends his much of the time in reading the books on anthropology. Billy's 'strangeness' signifies his search for his existence. Existence does not mean by the physical aliveness only. Instead, it is stored in every moment where true richness and fullness of life is possible. That is the quest of Billy that he finds it in the tribal life. To quote, *"*All I want to do in life is to visit the places they describe, meet the people who live there, find out about the aboriginals of the world" The tribal life is a ray of his dreamy hope. Nature brings Billy closer to the utmost life and infinite vision. He loves and lives the primitive way; the dance, the folk song, the drum beats, the affinity towards everyone and care and freedom in sexual life. It is his way of 'self'. He could not find these all in the uplifting world. The modern civilization is a deprived of all the human qualities of head and heart. It is the centre of agonies of life.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

The Living Conscience: An Analysis of Human Rights Jurisprudence under the Indian Constitution

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Manuscript ID:
JRD -2025-170912
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 48-53
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Indian Constitution is not merely a legal document but a social contract that embodies the aspirations of a nation emerging from colonial subjugation. It represents a profound commitment to securing justice, liberty, equality, and fraternity for all its citizens. This research article delves into the intricate relationship between the Indian Constitution and the protection of human rights. It traces the historical evolution of rights discourse in India, and analyses the fundamental rights and directive principles that form the bedrock of human rights protection. It examines path-breaking constitutional amendments, and reviews landmark judicial pronouncements that have expanded the horizons of rights. The article argues that through a dynamic process of judicial interpretation and constitutional morality, the Indian Constitution has evolved into a potent instrument for the advancement of human dignity.

Keywords: *Constitution, citizens, dignity, equality, legal, liberty, morality*

The Historical Antecedents

Human rights are indigenous to India and not of Western influence. Ancient Indian texts like the Vedas and the Arthashastra, and the edicts of Emperor Ashoka (c. 3rd century BCE) propagating Dhamma, contained early notions of Dharma (righteous duty), compassion, and welfare, which are precursors to modern human rights principles. However, the codified framework is undeniably a product of the freedom struggle against British colonial rule, which was inherently a battle for fundamental rights—against discriminatory laws, for freedom of expression and association, and for equality.

The Motilal Nehru Report (1928) was the first Indian articulation of a constitutional framework guaranteeing fundamental rights. The experiences of the colonial era—such as the Rowlatt Act and the suppression of civil liberties—deeply influenced the framers of the Constitution. They were determined to create a republic where state power would be constrained by inviolable rights. The Universal Declaration of Human Rights (UDHR), adopted in 1948 concurrently with the drafting of the Indian Constitution, also significantly influenced its provisions, creating a symbiotic relationship between international and Indian human rights law.

The Constitutional Edifice: Articles Protecting Human Rights

The Indian Constitution embeds human rights primarily in two parts: Part III (Fundamental Rights) and Part IV (Directive Principles of State Policy). While Fundamental Rights are justiciable and enforceable by courts, the Directive Principles are fundamental in the governance of the country and provide a blueprint for the state to strive towards establishing social and economic democracy. The Fundamental Rights in India serve as essential safeguards for protecting human rights by guaranteeing freedoms and civil liberties to every citizen, enforceable through judicial remedies against state abuse or discrimination. These rights form the backbone of India's democratic framework and underpin the protection, development, and dignity of individuals.

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How to cite this article:
Suragihalli, S. (2025). The Living Conscience: An Analysis of Human Rights Jurisprudence under the Indian Constitution. Journal of Research & Development, 17(9(V)), 48–53. https://doi.org/10.5281/zenodo.17670673

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670673
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Fundamental Rights

Fundamental Rights are enshrined in Part III (Articles 12–35) of the Indian Constitution and are regarded as basic human freedoms necessary for harmonious development and human dignity.The Fundamental Rights in the Indian Constitution include the right to equality, freedom of speech, freedom of association, protection against exploitation, rights to religion and culture, and access to judicial remedies. Their universality is reflected in non-discrimination wherein every citizen is protected, regardless of race, caste, religion, gender, or place of birth.

A unique feature of Fundamental Rights is justiciability i.e., citizens can directly approach the Supreme or High Courts in case of rights violation, securing access to justice through writs such as habeas corpus and mandamus. This framework prevents arbitrariness or abuse by state authorities, fostering rule of law and government accountability. Public interest litigation empowers even non-aggrieved parties or groups representing those without means to seek protection, effectively advancing the cause of collective human rights.

Fundamental Rights are balanced against reasonable restrictions for public order, state security, and morality, ensuring that rights are not absolute but are practical within societal constraints. During national emergencies, most rights may be suspended except those ensuring protection against arbitrary arrest and personal liberty, reflecting their critical nature for human rights.

A) Rights to Equality

1) Article 14: This is a two-fold guarantee. Equality before the law is a negative concept, which implies the absence of any special privilege for any individual. It is based on the English Common Law doctrine of the rule of law, meaning all are equally subject to the ordinary law of the land.

Equal protection of the laws is a positive concept, borrowed from the 14th Amendment of the U.S. Constitution. It implies that among equals, the law should be equal and should be equally administered. It does not mean identical treatment for all. Outlaws any form of discrimination and abolishes untouchability and arbitrary titles, fostering social justice.

2) Articles 15 & 16: Prohibition of Discrimination and Equality of Opportunity

Article 15 upholds the principle of equality. It prohibits the state from discriminating against any citizen only on grounds of religion, race, caste, sex, place of birth, or any of them. Crucially, it also empowers the state to make special provisions for women and children (Clause 3) and for the advancement of any socially and educationally backward classes (SEBCs), Scheduled Castes (SCs), and Scheduled Tribes (STs) (Clauses 4 and 5). This is the constitutional foundation for reservations and other positive discrimination measures.

Article 16 provides guarantee of equality of opportunity in matters of public employment. It forbids discrimination on the same grounds as Article 15. Like Article 15, it also allows for reservation of appointments or posts in favor of any backward class of citizens that is not adequately represented in the state services (Clause 4).

3) Article 17: Abolition of Untouchability

This is a unique and absolute right. It is not merely a prohibition against the practice of untouchability; it is its abolition. It is a legal declaration of social revolution. To bring it into effect, Parliament enacted the Protection of Civil Rights Act, 1955, which made the practice of untouchability a punishable offence.

B) Right to Freedom

Article 19 of the Indian Constitution is a cornerstone of the **right to freedom**, offering six vital liberties to Indian citizens: freedom of speech and expression, assembly, association, movement, residence, and profession. Its utility lies in empowering individuals to participate fully in public life, voice opinions, associate for common causes, and pursue professions, thus fostering democracy and personal development.

Article 19 guarantees six specific freedoms:

1) Speech and expression: Vital for open debate, creativity, and a transparent government.

2) **Assembly and association:** Allow peaceful protest and community building, crucial for democracy.

3) **Movement and residence:** Enable mobility and settlement across India, supporting unity and economic opportunity.

4) **Profession:** Upholds economic liberty and personal growth.

While these rights are foundational for personal development and social progress, Article 19 wisely permits **reasonable restrictions** for sovereignty, security, public order, decency, and morality. This balance prevents misuse, such as incitement, defamation, or threats to public safety, while preserving the essential character of freedom.

By protecting these freedoms and regulating their use, Article 19 actively promotes a responsible, participative, and flourishing society, making it indispensable for safeguarding democracy and human dignity in India.

C) Individual Safeguards

Articles 20, 21, and 22 of the Indian Constitution form a critical trio of rights that provide procedural safeguards to individuals, especially those accused or detained by the State.

1) Article 20: Article 20 protects individuals in criminal proceedings by prohibiting retrospective criminal laws wherein no one can be convicted for an act that was not an offense when committed, double jeopardy in which no

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

person can be tried and punished for the same offense more than once and self-incrimination which provides that accused persons cannot be forced to testify against themselves. This article is an essential check against misuse of state power and cannot be suspended even in emergencies, reflecting its foundational role in protecting the accused.

2) Article 21: Article 21 broadly states that no person shall be deprived of life or personal liberty except according to procedure established by law. Landmark judicial interpretation has expanded this to include rights such as dignity, privacy, a fair trial, and humane treatment, ensuring that both laws and procedures are fair and reasonable.

3) Article 22: Article 22 establishes procedural protections for arrested individuals which include that information on grounds of arrest must be provided, that the person has a right to consult and be defended by a legal practitioner; that he should be produced before a magistrate within 24 hours and limitation on detention without magistrate's authority. This article also includes special provisions which delineate safeguards in cases of preventive detention, though with certain limitations. This article thus ensures protection of citizens against arbitrary arrest and detention

Collectively, Articles 20–22 protect against arbitrary or unjust deprivation of liberty by holding the State accountable to fair procedures, upholding human dignity, and preserving the rule of law. Their continued evolution by the courts shows their dynamic role in balancing state authority and individual rights in India's democracy.

D) **Right against Exploitation:**

The fundamental rights that protect from exploitation in India are provided in Articles 23 and 24 of the Constitution. These provisions are critical in upholding human dignity and shielding individuals—both citizens and non-citizens—from abusive and unfair labor practices.

1) Article 23: Prohibition of Exploitation

Article 23 prohibits Human trafficking – the buying, selling, or transporting of individuals for forced labor or immoral purposes; Begar – compulsory labor without any payment and other forms of forced labor, including bonded labor, regardless of remuneration. Violating these prohibitions is a punishable offense, and the State is empowered to take legal action against both private individuals and authorities who violate them. Article 23 also applies to both citizens and non-citizens, ensuring a broad shield against exploitation.

2) Article 24: Prohibition of Child Labor

Article 24 prohibits employment of children below the age of 14 in any factory, mine, or other hazardous employment. This provision is instrumental in protecting children from hazardous work environments and economic exploitation.

These rights guarantee freedom from slavery, trafficking, and exploitative labor, securing the dignity and liberty of the individual. Empower the State to legislate and enforce punitive measures against exploiters, supporting social justice and equality. Foster a society based on fairness and human rights by expressly outlawing some of the gravest forms of social injustice. Together, Articles 23 and 24 serve as powerful constitutional safeguards against exploitation and are central to India's commitment to a just and humane society.

E) Cultural and Educational Rights

Cultural and educational rights, enshrined in Articles 29 and 30 of the Indian Constitution, act as vital safeguards for preserving India's immense diversity and protecting minority interests. They defend the interests of minorities, enabling cultural pluralism and protection against assimilation.

1) Article 29: Article 29 guarantees the right to any citizens with a distinct language, script, or peculiar culture to preserve it. This right is not limited to minorities; any group with a unique cultural identity is entitled to preservation of its heritage. It also prohibits denial of admission to state-run or aided educational institutions based solely on religion, race, caste, or language, ensuring access to education without discrimination.

2) Article 30: Article 30 empowers religious and linguistic minorities to establish and run educational institutions of their choice. It further states that the State cannot discriminate while granting aid to such minority institutions based on religion or language. This provision enables minorities to maintain educational autonomy and nurture their distinct identity.

Together, these rights uphold India's pluralism, encourage inclusivity, and protect minority groups from cultural assimilation. By ensuring both preservation and access, the Constitution balances unity with diversity—deepening social justice while celebrating the nation's composite

F) Constitutional Remedies

The right to constitutional remedies is itself a fundamental right, vital for defending other rights and rectifying abuses. The Chairman of the drafting committee of the Indian Constitution, Dr. B.R. Ambedkar referred to the Constitutional Remedies heart and soul of the Constitution. Article 32 is a fundamental right, guaranteeing the right to move the Supreme Court for the enforcement of any of the other Fundamental Rights. The Supreme Court can issue the five great writs: Habeas Corpus (to produce a detained person), Mandamus (to command a public duty), Prohibition (to

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

prohibit a lower court from exceeding its jurisdiction), Certiorari (to quash the order of a lower court), and Quo Warranto (to inquire into the legality of a claim to a public office).

Relation to Human Rights

The Fundamental Rights mirror international human rights standards such as those in the Universal Declaration of Human Rights (UDHR) and International Covenants. They directly enforce rights like equality before the law (Article 14), prohibition of discrimination (Article 15), and protection of life and personal liberty (Article 21), which correspond to key tenets in global human rights literature. Article 13 invalidates any law contravening these rights, ensuring human rights remain supreme over legislation.

Fundamental Rights in India are more than legal privileges—they institutionalize human rights, providing effective mechanisms for protection, enforcement, and development of the individual. They keep state power in check, defend minorities and marginalized groups, and create the foundation for justice, liberty, and dignity in Indian society. In essence, Fundamental Rights transform philosophical human rights into enforceable guarantees embedded in the legal and political order.

Path-Breaking Amendments

While the Constitution is amendable under Article 368, the Supreme Court has held that amendments cannot violate its "basic structure." Several amendments have fortified human rights:

1) The 1st Amendment (1951): Ironically, while it curtailed freedom of speech by adding reasonable restrictions, it also added Article 15(4) to empower the state to make special provisions for the advancement of socially and educationally backward classes (SEBCs), a positive affirmation tool for equality.

2) The 42nd Amendment (1976): Enacted during the Emergency, it is often criticized for diluting rights. However, it inserted Article 48A (Protection of environment) and Article 39A (Equal justice and free legal aid), broadening the state's human rights obligations.

3) The 44th Amendment (1978): A direct response to the Emergency's excesses. It restored the primacy of fundamental rights by making it harder to suspend Article 19 during an emergency and ensured that the right to life and liberty (Article 21) could not be suspended even during an emergency.

4) The 86th Amendment (2002): Made education a fundamental right by inserting Article 21A, making the state obligated to provide free and compulsory education to all children aged 6-14.

Landmark Judgments: Judicial Activism as a Catalyst

The Indian judiciary, particularly the Supreme Court, has been a vigilant guardian of human rights through judicial activism and an expansive interpretation of the Constitution.

a) Expanding the Scope of 'Life' and 'Personal Liberty' (Article 21):

1) Maneka Gandhi v. Union of India (1978): This is the cornerstone of modern Indian human rights jurisprudence. The Court held that the procedure established by law under Article 21 must be "fair, just, and reasonable," not merely a procedure legislated by Parliament. It also established the doctrine of inter-relationship between Fundamental Rights, making them a cohesive whole.

2) Francis Coralie Mullin v. The Administrator (1981): The Court held that the right to life includes the right to live with human dignity and all that goes with it, including adequate nutrition, shelter, and reading material.

b) Public Interest Litigation (PIL) and Epistolary Jurisdiction:

1) S.P. Gupta v. Union of India (1981) & Bandhua Mukti Morcha v. Union of India (1984): The Court relaxed the rule of locus standi, allowing any public-spirited individual or organization to file a petition on behalf of the oppressed and marginalized. This democratized access to justice, leading to rulings on bonded labour, prison reforms, and environmental protection.

c) Environmental Rights as Human Rights:

1) M.C. Mehta v. Union of India (1987) (Oleum Gas Leak case): The Court introduced the principle of absolute liability for industries engaged in hazardous activities.

2) Vellore Citizens Welfare Forum v. Union of India (1996): The Court adopted the "Precautionary Principle" and the "Polluter Pays Principle" as essential features of sustainable development, reading them into Article 21.

d) Gender Justice and Privacy:

1) Vishakha v. State of Rajasthan (1997): The Court laid down detailed guidelines to prevent sexual harassment of women at the workplace, filling a legislative vacuum. This was later codified into the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

2) Justice K.S. Puttaswamy (Retd.) v. Union of India (2017): A historic nine-judge bench unanimously held that the right to privacy is a fundamental right intrinsic to Article 21. This judgment has far-reaching implications for data protection, bodily autonomy, and sexual orientation.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

3) Navtej Singh Johar v. Union of India (2018): Using the privacy judgment, the Court decriminalized homosexuality by striking down Section 377 of the Indian Penal Code, affirming the rights to dignity, privacy, and equality for the LGBTQ+ community.

Directive Principles of State Policy - The Blueprint for a Welfare State

The DPSPs are guiding principles to the state in designing laws and policies. They are most significant in carrying out the governance of the State. These principles though, are not enforceable by any court of the land. The aim of DPSP is to establish social and economic democracy welfare state.

The Directive Principles of State Policy (DPSP), enshrined in Part IV of the Indian Constitution, represent the nation's conscience and a blueprint for socio-economic justice. While not judicially enforceable like Fundamental Rights, they are fundamental in the governance of the country and serve as a crucial, dynamic source of human rights. They complete the vision of human dignity articulated in the Preamble by moving beyond mere protection from state oppression (a negative right) to mandating positive state action to create conditions where individuals can truly enjoy freedom and equality. In this sense, they are the architects of the welfare state, aiming to transform the socio-economic fabric of India to realize rights to adequate livelihood, health, education, and just working conditions for all citizens.

The true genius of the Indian Constitution lies in the symbiotic relationship it forges between Fundamental Rights and DPSPs. Initially seen as being in potential conflict, the judiciary has masterfully evolved the doctrine of "harmonious construction," establishing that they are complementary and together form an integrated scheme. The DPSPs provide the goals—the 'what'—while Fundamental Rights often provide the 'how' by limiting state power to ensure these goals are pursued justly. This interplay has allowed the courts to expansively interpret justiciable rights in the light of directive principles. For example, the right to life (Article 21) has been inspired by the spirit of the DPSPs to include within its purview the right to health (Article 47), the right to education (Article 45, now 21A), as well as the right to a pollution-free environment (Article 48A). As a result the non-justiciable principles are converted into legally enforceable human rights.

If we view the DPSPs as mere idealistic intentions, we misunderstand their profound constitutional role. They are the guiding star for legislative and executive action, a continuous moral and political imperative on the state to strive towards establishing social and economic democracy. They are the source from which a vast body of social welfare legislation—from land reforms and environmental protection acts to rights-based laws on education, work, and information—draws its inspiration. By setting these standards, the DPSPs ensure that the concept of human rights in India is not static or limited to civil liberties alone but is an ever-evolving project aimed at achieving a more equitable and just social order.

The Harmonious Construction: Conflict to Collaboration

Initially, there was a perceived conflict between justiciable Rights and non-justiciable Principles. However, the judiciary, in a series of landmark judgments, has evolved the doctrine of harmonious construction. The Judiciary has held that the two are not only complementary but also supplementary to each other. They are the conscience of the Constitution. It is imperative that the state strives to achieve the goals set out in the DPSPs without breaching Fundamental Rights. The Courts now interpret Fundamental Rights in the light of the DPSPs. For instance, the right to life (Article 21) has been expanded to include many DPSP ideals like free legal aid (Article 39A), a healthy environment (Article 48A), and humane conditions of work (Article 42).

The Indian Constitution provides a robust and dynamic framework for the protection and promotion of human rights. Through its enlightened provisions, corrective amendments, and most importantly, a proactive judiciary, it has proven to be a living organism capable of adapting to new challenges. From protecting individuals from state excesses to mandating the state to provide conditions for a dignified life, its scope is vast.

However, the Human Rights project is not without trials. Challenges like custodial violence, discrimination based on caste and religion, threats to freedom of expression, and the slow realization of socio-economic rights persist. The gap between legal promise and lived reality for millions remains the central challenge. The future of human rights in India depends on a continued triad of a conscious citizenry, a responsive legislature, and a courageous judiciary, all united in their commitment to the constitutional conscience.

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Socio-Economic Justice: 75 Years of the Indian Constitution

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Manuscript ID:
JRD -2025-170913
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 54-56
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Indian Constitution is considered as the world larger written document. It was born out of the challenges of colonial domination and a vigorous struggle for freedom. Dr. B. R. Ambedkar was a visionary leader, who was a chairman of the drafting committee of the constitution. The drafting committee aimed to produce a document that encapsulated the rich cultural, linguistic, and religious diversity of India. On 26 November 1949, the constitution was adopted, marking a significant moment in the Indian history. This date is celebrated annually as 'Constitution Day,' highlighting the importance of this milestone in affirming India as a sovereign nation. The Constitution officially came into effect on 26 January 1950, a date now commemorated as 'Republic Day,' symbolising the transition from the British rule to self-government. The Constitution provides justice, liberty, and equality for the countrymen. This paper examines the theme of socio-economic justice within the Indian Constitution. As we are celebrating 75th anniversary of this foundational document, it is crucial to reflect on the extraordinary journey. The aim of the paper is to bring an overview of this document in the context of socio-economic justice. It is essential to reflect on the remarkable journey of this foundational document and the nation has shaped by it.

Keywords: *Liberty, Equality, Fraternity, Justice and Constitution*

Introduction:

The making of the Indian constitution was a transformative process that unfolded through a series of significant events, each contributing to the establishment of a robust democratic framework for the newly independent nation. The journey began with the government of India Act 1935, which introduced a federal structure and laid the groundwork for constitutional governance in India, providing a blueprint that would influence discussion on the Constitution. After receiving independence from the British administration on 15 August 1947, drafting committee formed to produce the legal document under the chairmanship of Dr. B. R. Ambedkar.

The Indian Constitution was adopted in 1949 and came into effect in 1950. It is not just a legal document but a transformative social monument, envisioned to reconstruct a historical society that had established on the Varnashram system into the parliamentary democracy. It is known as a unique in the world as contents and spirit. It laid the foundation for sovereign, socialists, secular and democratic republic. Among its core ideals is the pursuit of economic justice – a principle enshrined in the Preamble and elaborated through various principles of state policy. The Constitution conceptualizes socio-economic justice as a foundational mechanism for addressing and dismantling deeply rooted inequalities in status and opportunity.

The Objective of the paper:

- To understand the Indian constitutional and its provisions, judicial interpretations, legislative efforts and persistent challenges over 75 years.
- To study the constitutional vision for an equitable society and assesses India's strides towards minimizing economic disparities.

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How to cite this article:
Hartale, Y. D. (2025). Socio-Economic Justice: 75 Years of the Indian Constitution. Journal of Research & Development, 17(9(V)), 54–56. https://doi.org/10.5281/zenodo.17670758

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670758
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Research Methodology:

The researcher used qualitative methods by using the secondary data, including texts and journals The Constitution of India is comprised of 395 articles and 8 appendices. Its primary objective is to ensure social, economic and political justice for all citizens. Each of these three aspects of justice is crucial for the development of India. The idea of socio-economic justice in the Indian Constitution is mostly found in the Directive Principles and in the Fundamental Rights. Article 14 Equality before law: the state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India. Article 15. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. 1) The state shall not discriminate against any citizen on grounds only of religion, race, caste, sex, and place of birth or any of them. 2) No citizen shall, no grounds only of religion, race, caste, sex, places of birth or any of them, be subject to any disability, liability, restriction or condition with regard to – (a) access to shops, public restaurants, hotels and places of public entertainment; or (b) the use of wells tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public.

Article 16. Equality of opportunity in matters of public employment - (1) there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. Article 17. Abolition of Untouchability – untochability is abolished and is practice in any form is forbidden. The enforcement of any disability arising out of untouchabiity shall be an offence punishable in accordance with law. Article 19. Protection of certain rights regarding freedom of speech, etc – (1) All citizens shall have the right – (a) to freedom of speech and expression; (b) to assemble peaceably and without arms; (c) to form association or unions; (d) to move freely throughout the territory of India.

The Directive Principles of State Policy (Part IV, Article 36-51 are the main source of social justice. Article 38 – the State must work to reduce inequalities in income, status, and opportunities. Article 39 – Equal pay for equal work protection for workers fair distribution of wealth. Article 41 – Right to work, education, and help during unemployment, old age, sickness and disablement. Article 46 - Directive principles provide that the the responsibility of the State to promote the educational and economic conditions of weaker sections of society, especially the Scheduled Castes (SC) and the Scheduled Tribes (ST). It also says that to protect them from social injustice and any kinds of exploitation. These directive principles show the Constitution's dream of an ideal society where social and economic justice is key values. Social justice means removing all kinds of unfair difference between people that come from unequal wealth, limited opportunities, social status, race, religion, caste, titles or similar factors. It advocates for a just and equitable society where every individual is treated with dignity and afforded equal opportunities for growth and success, irrespective of their background.

Economic justice means to the eradication of poverty by increasing national wealth and resources and distributing them fairly among all individuals who play a role in their production. In essence, economic justice aspires to establish both economic democracy and a welfare state. The right to economic justice is particularly significant for the SC and ST and other marginalized and weaker sections of society. It is closely associated to the Fundamental Rights enshrined in the Constitution. The ultimate goal of economic justice is to make equality of status. Social justice necessitates the presence of economic justice; without economic justice, the pursuit of political justice becomes questionable, akin to the interrelation of liberty, equality, fraternity and justice. Justice holds no significance without equality, which is essential for the establishment of both social and economic justice.

Understanding this constitutional framework and recognising the deep social and economic inequalities in Indian society, the Indian parliament has made many important laws in the last 75 years. These include the Dowry Prohibition Act, the Scheduled Caste and the Scheduled Tribes (Preventions of Atrocities) Act, the Child Labour (Prohibition and Regulation) Act and Land and agrarian reform law, and the Right of Children to Free and Compulsory Education Act, 2009. India is known as one of the fastest-growing economies in the world. Its economy mainly depends on three important areas: services, industry and agriculture, and it have adopted a free market system to promote growth and development. Agriculture is considered the backbone of the Indian Economy as a significant portion of the population depends on it for their livelihood. Agriculture to contribute about 25 percent of national income and provides employment to around 65 percent of the total work force in the country. Since implementation of the Constitution, the launch of First Five Year Plan in 1951, agricultural development has been a central focus of national policy. This focus intensified with the introduction of the New Agricultural development Strategy in 1965-66, which aimed to achieve food self-sufficiency through modern farming techniques and increased investment in the sector. The Green Revolution marked a major turning point, as the use of high-yielding variety seeds, chemical fertilizers, irrigation and government support such as fertilizer subsides and agricultural extension services that led to significant increases in food grain production. As a result of these reform and innovations, India not only achieved self-sufficiency in food production but also made notable progress in reducing poverty. The proportion of the population living below the poverty line (BPL) decreased from to 21.9%, indicating a broader positive impact of agricultural growth on socio-economic development. Additionally, India's Human Development Index (HDI which measures the quality of life (education, income and health) has shown consistent improvement. In 1990, the HDI value stood at 0.439, with India ranking 93rd out of 130 countries. By 2023, the HDI had increased to 0.685, placing Indian in the

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

medium human development category at 130th position, indicating substantial progress toward improved living standards and human well-being. It means that, since the implementation of the Indian Constitution, agricultural development has expanded in larger level – not only within the agricultural sector itself but also in its influence on the broader socio-economic structure of the country. However, several challenges continue to hinder progress. Issues such as low agricultural productivity, irregular monsoons and fragmented landholdings negatively affect farmers' incomes; farmers' suicides are a tragic indicator of suffering, linked to debt, crop failure, in adequate irrigation. At the same time, wealth inequality in India is growing rapidly, with the rich accumulating more resources while large sections of the population remain economically marginalized. Youth unemployment and unempolyability are also on the rise, posing a serious challenge to the county's demographic dividend. In the social context, caste-based discrimination remains a persistent issue, despite constitutional protections provided under Article 15 and 17, which prohibit discriminatory practices and abolish untouchability. The Scheduled Castes and Scheduled Tribes have historically faced and, in many cases, continue to face systematically excluded from access to education, employment opportunities, and even basic participation in public life. Similarly, women continue to face inequality in several areas, including education, employment and political representation. Although the Constitutional promises equal rights, many women still suffer from violence both at home and in public, which prevents them from fully participating in social and economic life.

Conclusion:

The 75 - year of the Indian Constitution show the nation's strong commitment to justice and democratic values. This anniversary is not just a time to celebrate but also a time to think carefully and take action. It is important for citizens, lawmakers and civil society to work together to protect the values of the Constitution and reduce the inequalities that still exist in society. The Constitution remains a living document – a continuing source of guidance and inspiration. However, with new challenges such as poverty, unemployment and social discrimination, there is an urgent need for Constitutional engagement and reform to effectively address these issues and to work towards building an equitable society.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Challenges before the Indian Constitution and Parliamentary Democracy

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Manuscript ID:
JRD -2025-170914
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 57-60
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Indian Constitution, inspired by global democratic traditions and rooted in indigenous values, has served as the backbone of the world's largest parliamentary democracy since 1950. Despite its comprehensive framework and enduring adaptability, the system faces persistent challenges that threaten its democratic ethos. These include the criminalization of politics, corruption, communalization, excessive use of money and muscle power in elections, weakening of parliamentary functioning, federal tensions, judicial-executive conflicts, and threats to secularism. These issues erode public trust, reduce accountability, and weaken democratic institutions. Addressing these challenges requires legal reforms, political will, value-based education, and active citizen participation. Strengthening parliamentary democracy is essential to preserve constitutional values and ensure inclusive national development.

Keywords*: Parliament, Democracy, Constitution and Administration.*

Introduction:

Parliamentary democracy is the one of the most famous governmental system is found in the world politics and get originated in Britain. It is based on supremacy of parliament which consists of mainly two houses namely UPPER HOUSE and LOWERHOUSE. Upper house represents the states or units or special classes of the nation and Lower house represents or elected by the common people of that nation. For example – Britain the mother of parliamentary democracy, also called as west minister model of government consists of two houses namely House of Lords as Upper House and House of Commons as Lower House and also British Crown transferred through hereditary. In Indian scenario, after the freedom struggle of 300years of long blood and sweat of Indians got independence on 15th August 1947 and implemented their own Constitution on 26th January 1950. Members of Constituent Assembly inspired and influenced by world's contemporary politics, especially French, Russian and American Revolutions and various Constitutions of the world. The Britain though cruelly ruled India as a colony for their economic gains and benefits also influenced by its political system and administrational mechanism. These are inspirations, Indian local customs and traditions along with greatest contributions and unmatchable leadership of Dr. B R Ambedkar the Constitution of India framed and implemented. The Preamble of Constitution of India indicates and declares India is a – Sovereign, Socialist, Secular, Democratic and Republic with the base of Parliamentary Supremacy. The Indian parliament consists of The President of India, and the two houses, called as Counsil of States i.e Rajya Sabha is a Upper house and represents Indian States and House of the People i.e Lok Sabha is a Lower house which is elected by the common public.

The Indian Constitution, drafted with the vision of creating a sovereign, socialist, secular, and democratic republic, is among the most detailed constitutions in the world. Over the years, the Constitution has evolved through amendments, judicial interpretations, and political discourse. However, despite its adaptability, it faces numerous challenges that threaten its foundational principles. This paper aims to analyze some of the major concerns and challenges that confront the Indian Constitution today.

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How to cite this article:
Dahalake, B. M. (2025). Challenges before the Indian Constitution and Parliamentary Democracy. Journal of Research & Development, 17(9(V)), 57–60. https://doi.org/10.5281/zenodo.17670836

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670836
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

These include the issues of judicial independence, secularism, federalism, electoral integrity, reservations, privacy rights, and the Uniform Civil Code. By examining these issues through constitutional provisions, case laws, and legislative developments, this study seeks to offer insights into how these challenges can be addressed while preserving the spirit of the Constitution.

Objectives Of The Study:

1. To understand the meaning of Parliamentary democracy in its different aspects;
2. To identify major problems, issues and challenges being faced by Indian democracy;
3. To analyze the corrective measures for improving the Indian democratic system.

Parliamentary Democracy Issues

All stakeholders have to work unitedly to find lasting solutions to safeguard parliamentary democracy from the tremendous strains experienced today and to strengthen it. India had the great benefit of starting its journey under the leadership of Jawaharlal Nehru during the defining years of its freedom, and a great line-up of visionary and sagacious men and women provided effective leadership in the task of consolidating democracy and in laying the institutional foundations of the republic. Jawaharlal Nehru, as president of the Indian National Congress, declared in 1936 that India's ultimate objective was "the establishment of a democratic state," a sovereign state which would promote and foster "full democracy" and usher in a new social and economic order. A study indicated that in the first three years of the 14th Lok Sabha, 26 per cent of parliamentary time has been lostdue to disruptions. During the budget session this year, the Lok Sabha lost 73 hours (34 per cent of its time) due to disorder. Only 11 of the slotted 25 Bills were passed in the monsoon session. In that session, the Lok Sabha lost 40 per cent of its time due to adjournments, and the Rajya Sabha lost 49 per cent. Four Bills were passed without discussion in the Lok Sabha. If the Lok Sabha worked 124 hours in the monsoon session of 2006, it worked only 65 hours in the monsoon session of 2007. Each minute of parliamentary time costs the public exchequer to the tune of about Rs.26,000. Intolerance, divisiveness, corruption, confrontations and disrespect to dissent are increasingly vitiating our socio-political system. Added to this is the attempt by some institutions to malign and marginalize important people's forums with intent to occupy larger space than what is ideally feasible or constitutionally permissible in a representative democratic system. Judicial activism is sought to be justified because of the perceived decline in the effectiveness of parliamentary accountability. Frequent interventions in the exclusive jurisdiction of the legislature will only contribute to further eroding the authority of Parliament. By expelling 10 MPs for their involvement in the 'cash-for-query' scam, and by suspending others for different periods for various misdemeanors, Parliament has set an example. But these initiatives are not projected properly to help enhance people's respect for democratic institutions. It can also be argued that power is more evenly spread out in parliamentary government. The prime minister is seldom as important as a ruling president, and there tends to be a higher focus on voting for a party and its political ideas than voting for an actual person. In his 1867 book The English Constitution, Walter Bagehot praised parliamentary government for producing serious debates, for allowing change in power without an election, and for allowing elections at any time. Bagehot considered the four-year election rule of the United States to be unnatural. Parliamentary democracy in India has become a farce. For the proper working of parliamentary democracy many pre-requisites are needed; till the leaders are responsible and conscious of their duties and responsive to the public opinion. Democracy itself will not be stable. But it is more so in the case of parliamentary democracy because the Council of Ministers should be responsible to the Parliament and should also take into consideration the voice of the people. If they start ignoring what the people want the Government will become dictatorial in its behavior.

Major Challenges

1. Criminalization of Politics: The criminalization of politics refers to the increasing participation of individuals with criminal backgrounds in electoral politics. It is one of the gravest challenges to Indian democracy, as it undermines the principles of free, fair, and clean politics. When elected representatives have pending criminal cases, it not only weakens governance but also erodes public trust in democratic institutions. Criminalization of politics is a serious threat to the world's largest democracy. While judicial interventions and reforms have been introduced, much depends on the political will of parties and the awareness of citizens. A vigilant electorate, stronger legal framework, and transparent political system are essential to curb this menace and strengthen the foundations of democracy. As per recent reports of Association for Democratic Reforms, significant members of parliament are having criminal background and charges of murder, rape and severe criminal offences.

2. Corrupt Practices: A deep routed corruption is the evil of Indian democratic system which starts from election campaigning and continues through end of government tenure. Corruption refers to the abuse of power for personal gain. In politics, administration, or business, corrupt practices weaken governance, reduce efficiency, and erode public trust. The term "corrupt practices" is also used in election laws to describe unethical or illegal activities during elections. Political Corruption Bribery for favors in contracts, licenses, or clearances. Selling government positions or transfers. Favoritism and nepotism in appointments. Corrupt practices, whether in politics, elections, or administration, weaken the foundations of democracy and development. Eliminating corruption requires not only strong laws and

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

institutions but also political will and public participation. A transparent, accountable, and ethical governance system is the key to building a just and equitable society.

3. Politics of Communalization: The politics of communalization refers to the deliberate use of religion, caste, or community identities for political mobilization. Instead of addressing issues like development, education, or employment, political parties exploit communal sentiments to gain votes. This practice weakens secularism, fuels hatred, and threatens national unity. The politics of communalization poses a grave threat to India's democracy, secularism, and unity. While laws exist to curb such practices, true change requires political will and voter awareness. Only when citizens reject divisive politics and demand issue-based governance can India strengthen its democratic and secular fabric.

4. Regionalism and Separatism: Demands for regional autonomy and identity-based politics. Sometimes leads to violent movements and weakens national unity.

5. Money and Muscle Power in Elections: Excessive election expenditure, vote-buying, and intimidation. Elections are the foundation of democracy. However, in India, electoral processes are increasingly dominated by money power (excessive use of wealth) and muscle power (use of intimidation and criminal influence). These practices undermine free and fair elections, distort voter choice, and weaken democratic values. Money Power in Elections High Election Expenditure – Candidates spend far beyond the prescribed limits on campaigning. Vote Buying – Distribution of cash, liquor, or gifts to lure voters. Corporate Donations – Big businesses fund parties in return for favorable policies. Use of Black Money – Illicit funds are often used for campaigning. Media and Advertising Domination – Wealthy candidates control narratives through large-scale publicity. Muscle Power in Elections Intimidation of Voters – Threatening or coercing voters, especially marginalized communities. Criminalization of Politics – Candidates with criminal records contesting and winning elections. Booth Capturing & Rigging – Though reduced with technology, still a concern in some regions. Use of Violence – Clashes, riots, and use of local goons to influence outcomes. Creates an uneven playing field and undermines free and fair elections.

6. Weakening of Parliamentary Functioning: The Parliament of India is the supreme legislative body responsible for law-making, accountability, and representing the will of the people. However, over the years, its effectiveness has been questioned due to frequent disruptions, decline in debates, and the growing dominance of the executive. This weakening of parliamentary functioning poses a serious challenge to Indian democracy. Parliament is the heart of India's democracy, but its weakening functioning reduces its role to a symbolic institution rather than a deliberative body. Restoring parliamentary dignity requires reforms in procedures, commitment from political parties, and greater responsibility from members. A strong and vibrant Parliament is essential for safeguarding constitutional democracy. Disruptions, walkouts, and lack of debate in legislatures. Decline in quality of law-making and accountability of government.

7. Challenges to Federalism: India has a quasi-federal system with a strong center and autonomous states. The Constitution balances unity and diversity through distribution of powers between Union and States. However, Indian federalism faces several challenges due to political, economic, and social factors. Major Challenges to Federalism Centralization of Power The Union often dominates states in subjects like law & order, education, and taxation. Use of central agencies (CBI, ED, NIA) sometimes creates tension with states. Governor's Role Governors are appointed by the Centre but act in states, leading to political conflicts. Often accused of being "agents of the Centre." President's Rule (Article 356) Misuse of Article 356 in the past to dismiss state governments on political grounds. Financial Imbalances Centre controls major sources of revenue while states depend on central transfers (Finance Commission, GST Council). Creates friction over resource allocation. Inter-State Water and Border Disputes Conflicts over rivers (e.g., Cauvery, Krishna, Ravi-Beas) and state boundaries (e.g., Assam-Mizoram, Maharashtra-Karnataka). Regionalism and Separatism Demands for greater autonomy or even separate states (e.g., Gorkhaland, Bodoland). Sometimes leads to violence and instability. Political Rivalry between Centre and States Different parties ruling at the Centre and states often clash over policies, implementation, and language issues. Centre-state disputes over resources, language, and powers.

8. **Judiciary-Executive Tensions:** The Indian Constitution provides for the separation of powers among the legislature, executive, and judiciary. While checks and balances are essential for democracy, frequent tensions between the judiciary and executive create governance challenges. These conflicts usually revolve around the appointment of judges, judicial activism, and limits of executive authority. Major Problems in Judiciary–Executive Tensions Judicial Appointments The dispute over the Collegium System (judges appointing judges) vs. the NJAC (National Judicial Appointments Commission). Executive demands a greater say in appointments; judiciary insists on independence. Judicial Overreach / Activism Judiciary sometimes intervenes in policy-making (e.g., environmental, administrative, and economic matters).Executive accuses judiciary of encroaching on its domain. Delays in Judicial Appointments Conflicts between the government and judiciary cause vacancies in High Courts and Supreme Court. Leads to case backlogs and weaker justice delivery. Ordinances and Executive Actions The executive often uses ordinance powers to bypass Parliament. Judiciary reviews such ordinances and may strike them down, leading to friction. Contempt of Court vs. Freedom of Speech Executive leaders sometimes criticize judicial decisions. Judiciary reacts strongly under contempt laws, raising questions of accountability. Public Interest Litigations (PILs) PILs have expanded judicial

power into governance areas. Executive feels constrained by court directions in administrative matters. Judicial Review of Policies Courts have struck down executive decisions (e.g., constitutional amendments, bans, or economic policies). Executive perceives this as obstruction to governance. Conflicts between judicial activism and parliamentary supremacy. Raises questions on separation of powers and constitutional balance.

9. Challenges to Secularism: Secularism in the Indian Context Secularism is enshrined in the Preamble and protected under Articles 25-28. However, political and social conflicts have often threatened India's secular fabric. Secularism, in its true sense, means that all religions are equal in the eyes of the state and that the government does not favor or discriminate against any particular religion. In India, this concept ensures that the state treats all religions with equal respect while allowing individuals the freedom to practice, propagate, and manage their religious affairs. Unlike the Western model, which often emphasizes a strict separation between religion and the state, Indian secularism follows a principle of equal treatment rather than complete detachment. The Indian Constitution upholds secularism through Articles 25-28, which guarantee religious freedom while imposing reasonable restrictions in the interest of public order, morality, and health. The 42nd Amendment (1976) explicitly included the word "secular" in the Preamble, reinforcing the commitment to religious neutrality. The Supreme Court, in S.R. Bommai v. Union of India (1994), ruled that secularism is a part of the Basic Structure Doctrine, meaning it cannot be altered even through constitutional amendments. However, issues like communal politics, religious-based reservations, and debates on the Uniform Civil Code continue to challenge India's secular framework.

Remedies:

1. Ban on Candidates who had criminal background. 2. Strict rules and punishment for political corruption. 3. Ban on politics of communalization. 4. Equal concentration on all regions. 5. Inclusion of educational and other qualifications in politics. 6. Political reforms. 7. Ethical and value-based education. 8. Awareness to public towards politics. 9. Setting up of Fast Track Courts to handle Political Scams.

Conclusion:

Being a biggest democracy in the world, India passed 75 years of parliamentary system of government through minimum successes and most of failures. It failed to uplifting the poor, women and down trodden people even after becoming “VishawaGuru” or 5th largest economy in the world. Most percentage of the Indian population still suffering from poverty, growing unemployment, under development and lack of minimum essentials to lead a good and qualitative life. The Indian politics surrounded by rightist, leftist and centrist approaches rather than welfare of public and development of India. Here it is the good time for reforms and changes in politics with the empowerment of Indian Public through valid political education and awareness about the importance of active political participation.

The Indian Constitution and parliamentary democracy have successfully sustained for more than seven decades despite immense challenges. However, the rising trends of corruption, communalism, political opportunism, and weakening of parliamentary practices need urgent reforms. The strength of India’s democracy depends not only on constitutional safeguards but also on political will, institutional integrity, and an aware citizenry. Safeguarding democracy requires collective responsibility from leaders, institutions, and people alike. India has a lengthy written Constitution, a federal distribution of powers and a list of fundamental rights. Therefore parliamentary law to be valid must confirm in all respects with the constitution.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Role of Rajya Sabha in Indian Democracy

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Manuscript ID:
JRD -2025-170915
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 61-65
Sept. 2025

Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Indian model of Bicameralism may be one of the most interestingtypologies in the world. Bicameralism has been one of the most important features of India's parliamentary democracy. India's diverse languages, cultures, and interests required a system to represent pluralism. This need is addressed by the Rajya Sabha, the Second Chamber of India's bicameral Parliament. Designed as a federal body, it is called the 'Council of States' to emphasize its role in representing state interests, rather than being a generic legislative chamber like a 'Senate. 'The makers of our Constitution while establishing Rajya Sabha as secondchamber of our Parliament had envisaged a distinct role for it in our parliamentary democracy. This paper provides a temporalframework in the discourse on Rajya Sabha by outlining thehistory of the country's federal structure, role of Rajya Sabha in India's parliamentary democracyfrom the birth of the Indian republic to these contemporary times.

Keywords*: Rajya Sabha, Parliamentary Democracy, Bicameralism, Federal Structure, Deliberative Chamber*

Introduction

The Founding Fathers of our Republic envisaged a bicameral Parliamentconsisting of the Rajya Sabha and the Lok Sabha to address the challenges ofdevelopment and governance faced by the country at the time of itsindependence. Over the years, both Houses of Parliament as legislative, deliberative and oversight bodies have played a significant role in our nationbuilding and in strengthening the roots of democracy in the country. The rationale for having a Second Chamber for our Parliament and its role in our national body politic has not been congenial and smooth, but rather vexed in the history of democratic governance of India. Extensive debate and discussion took place in the Constituent Assembly regarding the need for a Second Chamber in Independent India. Views and opinions were sharply divided. The protagonists of the Second Chamber stressed that having a Second Chamber is essential as a safeguard against the tyranny of the Lok Sabha, while the critics dismissed it as undemocratic, superfluous and subversive.the Rajya Sabha was to perform three major functions. Firstly, it would provide a space for reasoned and rational deliberation away from the intemperate pulls of the Lok Sabha. Secondly, borrowing from the American experience, Rajya Sabha was envisaged as a House that would perform the function of checks and balances; and hold the Government of the day accountable. Thirdly, and most importantly, it was to act as a side which reflects the federal ethos of India.

Objectives

An attempt has been made in the paper to analyze the historical perspective behind the establisment of Rajya Sabha. To explain the contribution of Rajya Sabha in the Development of Indian Democracy. To understand the place of Rajya Sabha in the process of Parliamentary Democracy. To study the Principles and Practices of Rajya Sabha.

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How to cite this article:
Inamdar, R. A. K. (2025). Role of Rajya Sabha in Indian Democracy. Journal of Research & Development, 17(9(V)), 61–65. https://doi.org/10.5281/zenodo.17670929

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17670929
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Research Method

For this study, experimental, historical, descriptive and analytical methods are used to understand how Rajya Sabha has changed the nature Indian politics. All the data are collected from Rajya Sabha House Website, Pew Research Center, Center for Strategic & International Studies, Social Science Research Council, and Carnegie India. Secondary sources such as books, scholarly articles published in journals, newspapers, data published in government documents, various official declarations and statements, reports etc. are used for overall enrichment the research paper and these help in getting various ideas.

Historical Background

The Montague Chelmsford Reforms introduced the concept of a Second Chamber in India. Under the Government of India Act, 1919, the Indian Legislature was structured to include the Governor-General and two chambers: the Council of State and the House of Assembly. The Council of State had a fixed term of five years. The Government of India Act, 1935, proposed a continuous Council of State with members serving nine-year terms and one-third retiring every three years. However, this plan was never implemented due to the federal provisions of the Act not being put into operation. Consequently, the Second Chamber from the 1919 Act continued until 1947, leaving the Constituent Assembly to design India's new legislature without relying on past structures.

The Constituent Assembly Debates

The Constituent Assembly debated whether to have a Second Chamber for the Indian Parliament, considering models from other major Parliaments and the functioning of the Central Legislature established under the Government of India Act, 1919. The Union Constitution Committee, chaired by Jawaharlal Nehru**,** was one of the key bodies formed by the Constituent Assembly to draft the framework of independent India's Constitution. On 21 July 1947, the committee submitted a report that included recommendations about the structure of the Second Chamber at the Centre**,** which we now know as the Rajya Sabha or the Council of States.

This excerpt captures the lively and divided debate within the Constituent Assembly of India on 28 July 1947, as members discussed the Union Constitution Committee's proposal to establish a Second Chamber at the Centre what would later become the Rajya Sabha. One member argued it was not essential**,** suggesting that a single legislative body could suffice. Another criticized the historical role of upper houses, calling them a "clog in the wheel of progress"**,** implying that they often delayed or obstructed reforms and were redundant in a modern democratic setup. A contrasting view emphasized that a Second Chamber was not just helpful but an "absolute necessity."This member believed it would bring sobriety and second thought to the legislative process—acting as a check on hasty decisions and ensuring balanced representation, especially for states and minority interests.

Shri Gopalaswami Ayyangar's remarks offer a thoughtful and pragmatic defense of the Second Chamber—what would become the Rajya Sabha**—**during the Constituent Assembly debates in 1947. His speech reflects the broader constitutional vision of a bicameral legislature in a federal democracy, He acknowledges that federations worldwide—like the U.S., Canada, and Australia—typically include a Second Chamber to ensure balanced governance. The primary function, in his view, is not to obstruct, but to: Host dignified debates on important national issues. Delay impulsive legislation driven by temporary passions, allowing time for calm reflection. Provide a platform for seasoned, non-partisan voices—those outside the heat of electoral politics—to contribute with wisdom and expertise. Ayyangar is clear that the House of the People (Lok Sabha) will retain primacy, especially in financial matters. The Second Chamber is designed as a deliberative body, not a rival to the lower house. Its role is complementary, offering checks without gridlock. He frames the Rajya Sabha as a mechanism of restraint, not resistance. It's meant to slow down hasty decisions, not block progress. The emphasis is on quality of debate, institutional maturity, and constitutional stability.
The motion was adopted by the Constituent Assembly on 28 July 1947.First election to the Council of States was held in March 1952 and the House was constituted on 3 April the same year. The Rajya Sabha, its Hindi nomenclature, was adopted on 23 August 1954.

Role of Rajya Sabha

"The makers of our Constitution envisaged the role of the Rajya Sabha along three axes: as a legislative chamber of elders discussing, revising or delaying legislation as per need; as an institution where interests of the states of the Indian Union could be projected and safeguarded and; as a deliberative chamber where greater and diverse experience is brought to bear on questions of significance. The essence of democracy is participatory governance. Experience the world over has shown that this ensures responsiveness and transparency." Shri Mohammad Hamid Ansari
The Constitution of India has assigned a unique role to the Rajya Sabha. Through performance of varied roles, the Rajya Sabha has secured a distinct place in our polity as also in the constitutional set-up. Its multifaceted rolesare as under:

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

A) As a Revising Chamber

The constitutional and practical significance of the Rajya Sabha as a revising chamber in India's bicameral parliamentary system. The Rajya Sabha is designed to offer a calm, reflective review of legislation passed by the Lok Sabha. It's not about obstruction—it's about deliberation. It can discuss and delay bills, especially if they seem rushed or emotionally charged, but it cannot unreasonably block legislation. Its core function is to scrutinize and refine bills, ensuring that laws are not just passed swiftly but thoughtfully. In several instances, the Rajya Sabha has recommended amendments to bills passed by the Lok Sabha. These recommendations have often been accepted and incorporated**,** showing that the Upper House's input is valued and effective. For example the important Bills revised are the Income Tax (Amendment) Bill, 1961 and the National Honour Bill, 1971 wherein some substantial amendments suggested by the Rajya Sabha were accepted by the Lok Sabha. In the recent past, Rajya Sabha, among others bills, also amended the Indian Council of World Affairs Bill, 2001, the Prevention of Terrorism Bill, 2002, the Delimitation Bill 2002, the Fiscal Responsibility and Budget Management Bill, 2002, the Representation of the People (Amendment) Bill, 2003, the Company Secretaries (Amendment) Bill, 2005 and the Cost and Works Accountants (Amendment) Bill, 2005.

This function aligns with the vision laid out by the Constituent Assembly, where leaders like Gopalaswami Ayyangar and Jawaharlal Nehru emphasized the need for a chamber that could temper haste with wisdom. It also reflects the broader democratic principle of checks and balances, ensuring that legislation is not just majoritarian, but mature**.**

B) As a Federal Chamber

The federal essence of the Rajya Sabha, positioning it as a cornerstone of India's participatory and pluralistic democracy. Members of the Rajya Sabha are indirectly elected by the elected members of each State Legislative Assembly, ensuring that state governments have a voice in national legislation. This structure reflects the federal character of India, where power is shared between the Centre and the States.

Under Article 249 of the Constitution, the Rajya Sabha can authorize Parliament to legislate on State List subjects if it's deemed necessary in the national interest. It also plays a role in approving the creation of All-India Services under Article 312, which impact both central and state administrations. By giving states a platform to express their aspirations, the Rajya Sabha fosters dialogue and consensus across regions. It acts as a bridge between diverse interests, helping to harmonize regional priorities with national goals. The Rajya Sabha's design ensures that no single region dominates**,** and that smaller states also have a say in shaping national policy. This inclusive approach helps maintain unity in diversity, a foundational principle of the Indian Republic.

"In the developing federal structure of our country, the Rajya Sabha has a greater role to play in the future. From the rich diversity of representative opinion we have here, from the daily dialogues we will be having on matters of moment, will, I am sure, emerge a greater unity, a more lasting national consensus." Shri V.V. Giri

C) As a Deliberative Chamber

Dr. S. Radhakrishnan "Parliament is not only a legislative but also a deliberative body. So far as its deliberative functions are concerned, it will be open to us to make very valuable contributions, and it will depend on our work whether we justify this two Chamber system, which is now an integral part of our Constitution. So, it is a test to which we are submitted."

The deliberative character of the Rajya Sabha, emphasizing its commitment to high-quality, informed **debate** and its unique constitutional provisions. The Rajya Sabha has been envisioned not just as a legislative body, but as a forum for thoughtful discussion. Its debates are known for their depth, decorum, and diversity, often tackling complex national issues with nuance and expertise.

Under Article 80(1)(a) of the Constitution, the President of India nominates 12 members to the Rajya Sabha. This provision ensures that non-political voices—those with intellectual, cultural, or humanitarian insight—can participate in shaping national policy. The presence of such experts elevates the quality of debate, making it more relevant to public concerns. It also helps bridge the gap between policy and practice, as these members often bring grassroots experience or scholarly rigor to the table. This blend of representative democracy (elected members) and meritocratic input (nominated members) reflects the inclusive spirit of the Indian Constitution. It reinforces the idea that governance should be participatory, informed, and responsive to the needs of all citizens.

D) As a Chamber of Continuity

The most distinctive and stabilizing features of the Rajya Sabha—its permanence and continuity within India's parliamentary system. Unlike the Lok Sabha, which has a fixed five-year term and can be dissolved, the Rajya Sabha is never dissolved. Instead, one-third of its members retire every two years, ensuring a rolling renewal without disrupting the chamber's functioning. This design provides institutional stability**,** especially during times when the Lok Sabha is: Dissolved before elections OR In the process of reconstitution after elections.

The Rajya Sabha can continue to function, debate, and process legislation, maintaining the momentum of governance. If a bill is pending in the Rajya Sabha but hasn't yet been passed by the Lok Sabha, it does not lapse when the Lok Sabha is dissolved. This ensures that important legislative work isn't lost or delayed, preserving policy continuity. This structure, enshrined in Article 83 of the Indian Constitution, was intentionally designed to guard

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

against legislative paralysis during political transitions. It reflects the wisdom of the Constitution's framers, who recognized the need for a steady hand in governance, especially in a diverse and dynamic democracy. In essence, the Rajya Sabha acts as a constitutional anchor, ensuring that the legislative process remains resilient and uninterrupted, even amid electoral churn. Rajya Sabha, the House of Continuity and in the Lok Sabha, a House of Change; we have a splendid blend of change and continuity in our Parliament.

E) A Chamber not Concerned with Government Formation

The Lok Sabha, being directly elected, holds the power to form and dissolve governments through confidence motions. The Rajya Sabha, by contrast, is indirectly elected and not responsible for executive accountability in the same way. This means that government survival does not depend on its majority in the Rajya Sabha.

Because it doesn't determine government formation, the Rajya Sabha is less entangled in day-to-day partisan battles. This relative insulation allows it to function as a more reflective and deliberative body, focusing on policy substance over political strategy.

Critics may argue that its inability to topple governments makes it politically marginal. However, many believe its most vital role is as a forum for thoughtful debate, where diverse voices—including those of states, experts, and nominated members—can shape public opinion and policy direction.Through informed discussions, constructive criticism, and policy suggestions, the Rajya Sabha helps refine legislation and guide national priorities. This aligns with the idea that parliamentary chambers are not just instruments of power but arenas of dialogue**.** The Rajya Sabha's measured tone and continuity make it a stabilizing force**,** especially during political turbulence in the Lok Sabha.

F) As an Effective Smaller Chamber

The smaller size and structure of the Rajya Sabha contributes to its effectiveness and collaborative spirit within India's parliamentary framework. The Rajya Sabha's maximum strength is 250 members**,** compared to **550** in the Lok Sabha. This compact size fosters closer interpersonal relationships, enabling more meaningful dialogue and cross-party camaraderie**.**With fewer members, there's greater scope for informal interactions, leading to a spirit of accommodation and adjustment. Members are often more willing to listen, compromise, and build consensus, which enhances the quality of debate and decision-making**.** A smaller chamber allows for more focused discussions, better allocation of speaking time, and streamlined proceedings. This efficiency supports in-depth deliberation on a wide range of issues—from national policy to regional concerns. The Rajya Sabha's structure complements its role as a deliberative body**,** where seasoned voices and nominated experts contribute to thoughtful legislation**.**

G) As a Chamber Securing Executive Accountability

As part of Parliament, the Rajya Sabha helps scrutinize the executive not just through debates, but through structured committee work. Of the 24 Department-related Parliamentary Standing Committees**,** eight operate under the Chairman of the Rajya Sabha**,** covering key sectors like: Commerce, Home Affairs, Human Resource Development, Industry, Science & Technology, Environment & Forests Transport, Tourism & Culture etc. These committees examine bills, budgets, and policies in detail—often beyond what is feasible on the floor of the House.

Committees have reviewed important legislation, offering technical and policy insights that enrich the lawmaking process. Their reports are presented to both Houses, reinforcing the bicameral nature of scrutiny and ensuring cross-party input. This system reflects the principle of checks and balances, where Parliament doesn't just pass laws but monitors their implementation. It also allows non-partisan, evidence-based oversight, often led by members with subject-matter expertise. In essence, the Rajya Sabha's committee work is a quiet engine of accountability, ensuring that governance is deliberate, informed, and responsive**.**

H) **As a Chamber of Ventilating Public Grievances**

Rajya Sabha is the reflecting surface of the problems faced by different states. Its Members, being the representatives of states, articulate the concerns of respective states and their people. It has, through well established procedural devices such as Questions, Calling Attention, Special Mentions, Short Duration Discussion, Half-an-Hour Discussion, Motions, Resolutions, etc., raised issues of public importance, focused attention on matters affecting policies of the Government and provided a forum for ventilation of public grievances.

Conclusion

Bicameralism was not a mere structural choice—it was a philosophical commitment to checks and balances**,** regional inclusion, and deliberative governance. The Rajya Sabha has helped ensure that legislation is not solely driven by majoritarian impulses, but tempered by second thought and broader consensus. Though it does not determine the fate of governments, the Rajya Sabha has played a significant role in shaping laws, scrutinizing executive actions, and influencing policy direction. Through debates, committee work, and expert interventions (including those by nominated members), it has contributed to public welfare and institutional accountability.

The phrase "not only for the body polity but also for our society and people" suggests that the Rajya Sabha's impact transcends formal governance. It serves as a forum for national dialogue, where diverse voices—regional, intellectual, cultural—can engage with the moral and developmental questions facing the country. Rajya Sabha as a

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

living institution**,** one that has redeemed the promise of bicameralism by evolving with the times while staying true to its constitutional mandate.

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Educational Psychology and Inclusive Education: A Pathway to Social Change for Special Children in India

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Manuscript ID:
JRD -2025-170916
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 66-71
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Inclusive education in India is not only a legal requirement but also a significant step towards advancing a sociological goal that aspires to provide all learners equitable access to education, including Children with Special Needs (CWSN). Even with the Salamanca Statement (UNESCO, 1994) and the Samagra Shiksha policy, there are still barriers to effective implementation. This research is a crossover of educational psychology and inclusive education, specifically guided by the works of Vygotsky and Bandura on inclusion through Vygotsky's Sociocultural Theory and Bandura's Social Learning Theory. This paper, drawing on UDISE+ 2021–22 data and other policy documents, analyzesenrollment, infrastructural, and teacher readiness gaps in regard to basic and secondary education. The findings suggest the need for psychological strategies, including but not limited to scaffolding, peer modeling, and SEL, to promote inclusion to acceptance and a sense of belonging instead of mere assimilation. The concluding recommendations argue on the need to adopt a psychology-based inclusive education approach as a means of social evolution in India.

Keywords*: Educational Psychology, Inclusive Education, CWSN, Vygotsky, Bandura, Samagra Shiksha, Social Change*

Introduction:

For many, the idea of "inclusion" has emerged as a fundamental tenet of the formulation of practices and policies about the education of all students. The Salamanca Statement (UNESCO, 1994), which significantly impacted the direction of policy developments in numerous nations, had a significant influence on this overall movement. The definition and ramifications of inclusion are still unclear, making it a contentious and complicated topic despite these policy advancements. Parents who are concerned about their children's educational experiences and the schools they can attend are among the people who continue to put pressure on the establishment of separate special schools. It can be difficult to find reliable study information that can direct practice and policy when there are often contradictory preferences and views. Due in part to these circumstances, the term "inclusion" has come to mean the degree to which a school or community accepts students with special educational needs (SEN) as full members of the group and recognizes their contributions. This implies that for inclusion to be "effective," all kids must actively engage with, be welcomed by, and be a part of a mainstream school and community. Their diverse talents, abilities, and interests should be honoured and seen as improving the educational environment.

In India, inclusive education is at a crossroads: while CWSN's growing access to education is becoming more apparent, true inclusion, which is based on equity, empathy, and dignity, is still elusive. The importance of educational psychology in bridging the gap between lived inclusion and policy aim is emphasized in this research.

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How to cite this article:
Sethi, K., & Jogdanad, A. (2025). Educational Psychology and Inclusive Education: A Pathway to Social Change for Special Children in India. Journal of Research & Development, 17(9(V)), 66–71. https://doi.org/10.5281/zenodo.17671001

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17671001

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

1. Positive progress is evident in enrollmenttrends:UDISE+ 2021–2022 reports that CWSN enrollment rose 3.45%, from 21.91 lakh to 22.67 lakh, while student–teacher ratios have improved and over 51% of teachers are female. https://www.simplypsychology.org/vygotsky.html?utm_source
2. The necessity for both structural and psychological improvements is highlighted by the fact that many schools still lack resource rooms, accessible restrooms, or staff members with the necessary training because of uneven infrastructure.
3. Theoretical foundations anchor our argument:

- **Vygotsky's Sociocultural Theory**: Peers, parents, caretakers, and society at large all have an impact on how the brain develops its higher-order processes, according to psychologist Lev Vygotsky. Vygotsky contends that cultural variations may exist because social interaction is essential to human growth. The theory highlights that social interaction within the Zone of Proximal Development (ZPD) is where learning occurs, with the help of a more experienced person who offers the required scaffolding.
- **Bandura's Social Learning Theory**: A fundamental component of social learning theory is observational learning, in which people pick up new skills and behaviors by watching others. Modeling after people that are similar to us, high-status, knowledgeable, rewarded, or nurturing individuals in our lives is a common step in this process. Youngsters watch how others behave in different ways. The renowned Bobo doll experiment serves as an example of this (Bandura, 1961).

This study advocates for a nuanced, behavior-informed approach to creating inclusive schools that promote belonging, confidence, and societal acceptability by utilizing these psychological principles, which are backed by empirical evidence and policy frameworks (such as Samagra Shiksha's inclusive efforts).
"Building on these theoretical insights and policy initiatives, this study examines how educational psychology can bridge the gap between policy intent and lived inclusion by proposing a behaviorally informed framework that fosters belonging, confidence, and genuine societal acceptance for CWSN in India."

Literature Review:
Trends and Issues of Inclusive Education in India:
• Approximately 990,000 children with disabilities (34%) not enrolled in school is a concerning statistic, especially among the intellectually impaired and speech impaired ·shikshansanshodhan.researchculturesociety.org).
• The 42% literacy rate among women with disabilities, alongside negative societal attitudes, is a contributing factor to the gap in support facilities compared to men who earn a 58% literacy rate.(IJHSSM).
• Approximately 55% of the educational facilities in India possess basic infrastructural accessibilities such as ramps and handrails (The Economic Times).

Teacher Preparedness and Self-Efficacy
• Teachers in Primary and Secondary schools together alongside practitioners and specialists of special education and counseling showed a lack of training as reported by a study in Delhi, where 70% of teachers, lacked special education training and 87% reported the absence of support services highlighting a consistent low self-rated competency (ERIC).
• Research conducted in Mumbai showed comparison of general and resource teachers under Bandura`s self-efficacy framework and confirmed the resource teachers as having substantial self-efficacy especially in the areas of supporting children with disabilities, community resource deployment, and in community engagement (ERIC).

Theoretical Anchors: Vygotsky & Bandura
• Vygotsky's Sociocultural Theory stresses that learning takes place within the Zone of Proximal Development (ZPD) and through social interaction and scaffolding. In the Indian inclusive scenario, learner and instructor scaffolding can improve the participation and learning of Children with Special Needs (CWSN), particularly when aligned with pre-existing secondary data frameworks.
• Bandura's Social Learning Theory self-efficacy explains the gap in resource and general teachers in Mumbai, as those with greater training and experience tend to have more confidence in their effectiveness in inclusive practice **(ERIC).**

Objective:
1. To propose a psychology-based paradigm for creating inclusive classrooms that encourage social change.
2. To promote inclusive education for CWSN with the assistance of educational psychology theories by Bandura and Vygotsky.
3. To investigate the psychological strategies employed in inclusive classrooms to boost peer acceptance and reduce stigma.
4. To assess how policy initiatives have helped operationalize inclusive practices (Samagra Shiksha, NEP 2020).

Hypothesis:
1: Peer cooperation and Vygotsky's scaffolding greatly improve CWSN engagement and learning results.
2: Bandura-theorized peer modeling techniques have a positive impact on the attitudes of usually developing pupils toward CWSN.

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

3: Schools that use psychological techniques in addition to inclusive policies exhibit higher levels of CWSN social integration than those that only use policies.
4: Interventions including social-emotional learning (SEL) help CWSN feel more included and less stigmatized..

Methodology: The current study examines the connection between educational psychology and inclusive education for children with special needs (CWSN) in India using a descriptive research approach and secondary data analysis. The study uses secondary data from credible sources, including as academic literature on inclusive education and psychological theories, government papers (UDISE+ 2021–22, ASER 2022), and policy documents (NEP 2020, Samagra Shiksha).

Data Analysis :
Quantitative Analysis: Trend analysis and percentage change calculations were used to examine teacher training, enrollment patterns, and the proportion of inclusive infrastructure (ramps, restrooms).
Qualitative Analysis: To find successful inclusion initiatives, policy texts and educational psychology concepts were thematically interpreted.

Integration of Educational Psychology in Methodology:

This study uses the Zone of Proximal Development (ZPD), a component of Vygotsky's Sociocultural Theory, to evaluate secondary data on learning outcomes. The investigation considers the ways in which teachers and peers might scaffold CWSN engagement and comprehension. For instance, ASER results on reading and arithmetic inadequacies are analyzed using ZPD's guided learning paradigm, emphasizing the value of peer-assisted and teacher-supported learning contexts.

Similarly, Bandura's Social Learning Theory is used to explain data on teacher training and peer relationships. The presence of qualified teachers and inclusive classroom practices are linked to the utilization of modeling and observational learning. Students that are typically developing may have different opinions of CWSN depending on these criteria.

Secondary Data Analysis on Inclusive Education for CWSN in India:
1. Enrollment of Children with Special Needs (CWSN) in Government Schools (UDISE+ 2021-22)
2. AvailabiltyOf Inclusive Infrastructure
3**.** CWSN Enrollement Trend (2018-2021)

1. Enrollment of Children with Special Needs (CWSN) in Government Schools (UDISE+ 2021-22)

Year	Enrollment (in lakh)
2018	23.3
2019	24.8
2020	25.6
2021	26.3

Source: Unified District Information System for Education (UDISE+) 2021–22. Ministry of Education, Government of India.

URL: https://www.pib.gov.in/PressReleseDetail.aspx?PRID=1873307
Observation &Analysis: There is a gradual upward trend in the enrollment of Children with Special Needs (CWSN) into the Government schools from 23.3 lakh in 2018 to 26.3 lakh in 2021. This is a good sign that the policies on inclusive education are having a positive impact, like the Right to Education (RTE) Act, Sarva Shiksha Abhiyan, and NEP 2020.
• Nonetheless, a mere 12.9% increase over a four-year period indicates that there are challenges with retention and transition. While enrollment is improving, the completion and quality of learning is still a concern.
• The gaps in the societal infrastructure associated with awareness are: lack of awareness regarding the disability, negative attitudes surrounding disability, and society's infrastructure surrounding parent's role.

Implication for Educational Psychology: There is a need for psychologists to create and change motivation, self-esteem, and peer acceptance, as these indirectly impact retention, which is lower than would be anticipated.
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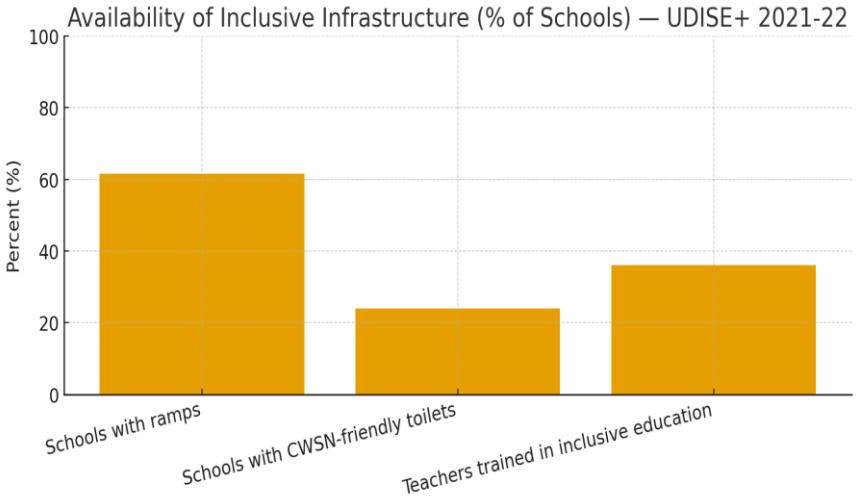
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025



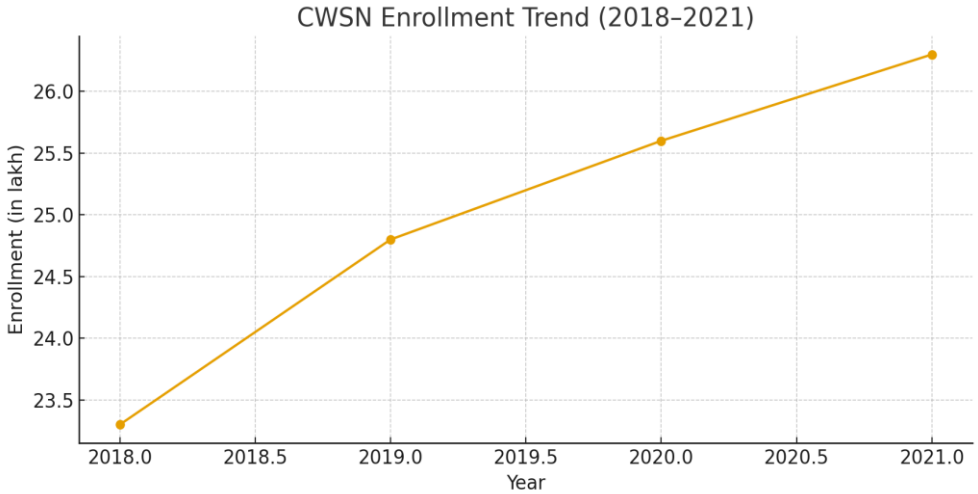
1. Availabilty Of Inclusive Infrastructure :
Source: UDISE+ 2021–22.
URL: https://www.pib.gov.in/PressReleseDetail.aspx?PRID=1873307
Three UDISE+ indicators (2021–2022) are displayed in the bar chart: CWSN-friendly restrooms: 24%, ramps: 61.6%, and inclusive education-trained teachers: 36%.

Interpretation: There is some positive change in physical access to schools with ramps (over 60%). While an important step, it remains a long way from true inclusion.

- Dignity and everyday attendance is a significant challenges for older children, especially girls, with disabilities due to a lack of appropriate restrooms. The poor condition of sanitary facilities, rated at 24% is concerning.
- Restricted classroom inclusion due to lack of trained instructors is a result of poor pedagogical support and severely inadequate teacher training which is at 36%.

Implications for psychology and education: Evidence-based practices (differentiation, scaffolding, behavior management, and peer-mediated supports) are less likely to be implemented in the absence of qualified teachers, which reduces learning outcomes and social acceptance.

3. CWSN Enrollment Trend (2018-2019):



According to the line graph, the enrollment for Children With Special Needs (CWSN) in government schools increased from 2.33 million in 2018 to 2.63 million in 2021. The most notable increase happened between 2018 and 2019.

Interpretation: This sustained increase suggests that some of the outreach activities and policy frameworks, particularly the RTE, the implementation of Samagra Shiksha, and identification drives at the state level, are improving the availability of schools for children with disabilities. The sustained growth rate and the tapering growth rate post

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

2019 suggest that there is considerable room towards the achievement of more streamlined processes for the purposes of identification, retention, and progression in schooling.

Research implications: Meaningful inclusion is more complicated than simply enrollment. To determine real progress, researchers ought to analyzeenrollment alongside the learning outcomes, retention, and attendance data.

- To evaluate actual progress, researchers should combine enrollment data with learning outcomes (such as ASER/NCERT assessments), retention, and attendance data.

4. Annual Status of Education Report (ASER) 2022. National Findings. ASER Centre/Pratham.
Results of Learning (ASER 2022)

- Students with learning impairments lag significantly behind their peers in foundational reading and math skills. For example:
- Many Children With Special Needs (CWSN) in early reading (grade 3) struggle with text comprehension.
- In Basic Math (grade 3), recognition of numbers and execution of simple calculations can be challenging.
- Psychological Implication: Achievement impacts motivation, social engagement, and self-concept. To fill these gaps, educational psychology must employ:
- Behavioral reinforcement strategies. Due to the vast difference between grade level expectations and current attainment, there is a need for differentiated instruction in a single classroom catering to multiple learning needs.
- Peer-assisted learning. Understanding of self and fundamental concepts is quite low for most learners, and therefore, group work can support practice and strengthen confidence.
- Behavioral reinforcement strategies. Avoidance and difficulty with reading or math tasks can be addressed to some extent with motivation and self-concept via positive reinforcement strategies.

5. Unified District Information System for Education
Source: UDISE+ 2023–24. Ministry of Education.
URL: https://www.pib.gov.in/PressReleseDetail.aspx?PRID=1873307
Teacher Trained for CWSN

Sr.No	Male	Female	Total
1	508096	691378	1199474

By combiningempirical secondary data with psychological theories of learning and behavior, this methodology provides a theoretically informed view of inclusive education in India that goes beyond straightforward statistical reporting. This approach ensures that the results provide psychologically sound strategies for improving classroom practices and fostering CWSN's social acceptance in addition to highlighting policy gaps and outcomes.

Limitations:
1. Overemphasis on Secondary Data: While secondary data (e.g., UDISE+, UNICEF.) tends to show trends, it fails to reveal teaching quality, peer acceptance, and student's qualitatively during the lessons.
2. Geographical Empirical Limitations: The majority of cited works focus on metropolitan areas such as Delhi and Mumbai, which poses a challenge to rural and more diverse Indian contexts.
3. Action Gaps in Training: While evidence highlights a lack of training, there is greater uncertainty as to the pathways that training in inclusivity leads to the teaching and learning practices implemented.
4. Infrastructure Gaps: The national figures (e.g. 55% of schools equipped with ramps) overlook metropolitan and inter-state disparities that may impact inclusivity**.** (The Economic Times).

Conclusion:
This review of literature outlines the predominant barriers to inclusive education in India: high out-of-school rates for children with special needs (CWSN), lack of compliant infrastructure, and insufficient teacher training. The application of Vygotsky's scaffolding aids in meaningful learning when enacted through organized peer and teacher assistance. Affirmative empowerment of educators through purposeful professional development is essential, as pointed out by Bandura's self-efficacy theory. Evidence of greater self-efficacy and the practice of inclusion by resource teachers compared to their generalist counterparts informs and enriches teacher education curriculum design.

Suggestions for Further Research:
1. **Field Studies**: Capture the perspectives of children with disabilities (CWSN), their peers, and teachers through qualitative or mixed-methods research in rural and semi-urban areas.
2**. Intervention Studies**: Evaluate the effect of engagement, learning outcomes, and social acceptance from the application of scaffolding and peer modeling in inclusive classrooms through pilot programs.
3. **Evaluation of Teacher Training**: Look at how well inclusive training initiatives enhance teachers' self-efficacy and instructional techniques.

4. **Infrastructure and Inclusion Indexing**: Create detailed measurements at the district or block level to link physical obstacles to learning, retention, and enrollment.
5. **Longitudinal Tracking**: Link policy implementation (such as NEP 2020 or Samagra Shiksha's programs) to inclusive outcomes by using UDISE+ and other information to evaluate changes over time.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Indian Constitutional Provisions and the Reality of Tribal Women

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Manuscript ID:
JRD -2025-170917
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 72-74
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Tribal women in India face multiple layers of marginalization due to illiteracy, superstition, poverty, and lack of access to basic facilities. Although the Constitution provides several safeguards—including equality, cultural and educational rights, protection from exploitation, and political representation—there remains a significant gap between legal provisions and their implementation. Articles such as 15, 16, 17, 23, 25–29, 46, 330, 338, and the Fifth and Sixth Schedules, along with the 73rd and 74th Amendments, aim to empower tribal women through education, employment, and political participation. However, issues like malnutrition, displacement, domestic violence, human trafficking, and social exploitation continue to persist. Bridging this gap requires effective implementation of policies, community awareness, and systemic reforms to ensure social justice, equality, and empowerment for tribal women.

Keywords: *Tribal Women, Indian Constitution, Equality, Scheduled Tribes, Rights, Empowerment, Education, Reservation, Exploitation, Social Justice.*

Introduction

There is a sense of curiosity about the tribal community in Indian society. We believe that tribals are people living a simple life, living in the forests. The life of the tribal community, who were earlier known as the kings of the forest, is still seen to be of low standard. Due to illiteracy, superstition is prevalent among them to a large extent. According to Article 342 of the Indian Constitution, tribals have been called Scheduled Tribes. Dr. Thakkar Bappa has called these people Scheduled Tribes. Dr. Ilvin and Thakkar Bappa have called these people the inhabitants of very" ancient origin". Dr. Das has called the tribals a sinking tribe. The International Labor Organization has asked us to use the term tribal to refer to them as the original inhabitants.The life of the tribals is full of hard work, in which women have to work hard. In modern times, the government has made many efforts for the development of the tribals, so the educational, social, economic and political development of the tribals has been quite good[1]. Today, large-scale deforestation is seen in the tribal areas, and its effects are seen on the lives of the tribals. In this, the tribal women are facing problems such as livelihood, education, health and security. Moreover, these women are also victims of practices such as Dakini pratha, Bhootbadha, superstition. It is very important to study the constitutional provisions and development programs made by the government for these women.

The Indian Constitution has made many provisions to protect and empower the rights of tribal women. These include the right to equality, religious freedom, education and cultural rights, protection from exploitation, provision for education of female children, provision for reservation and provision for representation of women in local self-government bodies. The 73rd and 74th amendments to the Constitution have been made. Due to the decision of the Supreme Court, women have got the right to inheritance.

Objective of the research paper-

1. To study the problems of tribal women**.**
2. To study the constitutional provisions for the safety of tribal women.

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How to cite this article:
Patil, M. S. (2025). Indian Constitutional Provisions and the Reality of Tribal Women. Journal of Research & Development, 17(9(V)), 72–74. https://doi.org/10.5281/zenodo.17678487

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678487
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

3. To study the position of tribal women in society and the development plans of the government.

Research Assumptions in the paper-

1)-There is a large amount of superstition among women. 2)A large number of tribal women are deprived of education, health care, and these are the problems of tribal women.3) They are suffering with lack of protection and health, lack of food, but in the Indian Constitution, efforts and provisions have been made to create facilities for these women.

Current status of tribal women.

The social and educational status of women in this society in India lives in rural and mountainous areas. The literacy rate is low. The dropout rate in education is high. Along with household work, women participate in agricultural work to a large extent. Lack of nutritious food, ignorance regarding childbirth, inadequate health facilities and due to which the rate of maternal and child mortality is high. Malnutrition and anemia are found in women. There is reservation for women in the constitution. There is 33 percent reservation in Panchayat Raj institutions, but despite legal rights, there is a lack of awareness among tribal women about their rights.[2] At least two of these customs, traditions, superstition, ignorance, lack of means of communication, language barrier, women's advancement is seen at a slow pace.

In tribal communities, there are oral laws that are followed according to tradition. Caste Panchayats are important in them. This Panchayat is owned by men. Women have no place in them. The father of the groom gives dowry to the father of the bride. Unless the dowry is returned, the girl does not get a divorce. In the movie Jait Re Jait, Smita Patil and Dr. Mohan Agashe hold women responsible for diseases, poverty, ignorance. Inhuman practices like Dakini are seen in this society today. Women are held responsible for such things and they are killed. The entire family is oppressed by that village and no connections are maintained with these famiies. Due to these superstitions and ignorance, women are considered secondary. Women who go to the city to earn money have to fall victim to prostitution on a large scale. In modern Indian society, making promises is very common in the improved society. These are the things that tribal women fall prey to. Unlike other societies, in tribal society, if a woman does not have children, it is considered a dispute. Someone is brought up and divorce is granted. In some tribal families, the lineage runs in the name of the mother. The husband has to live in the wife's mother's house. The property rights are with the mother. The management of the property is with the woman. The three tribal groups, Khasa Na Ro and Nair, are matriarchal, but the patriarchal system is mainly prevalent in the other tribal communities. In these, the man is the head. The man manages the property. The man is aware of the clan religion, clan customs, etc. The Indian tribes like Gond, Santhal, Bhil, Bhondu, and Warli, Kolam, Koli, etc., the patriarchal system is prevalent. [4]

The Indian Constitution and Tribal Women--The condition of tribal women is dire due to poverty, ignorance, religion, naivety, etc. India, which is moving forward with the dream of creating a welfare state, needs to pay attention to tribal women. The Indian Constitution has also granted rights to tribal women. While making the Constitution of India, the Fifth and Sixth Schedules have been created and given the right to self-government. According to Article 15 of the Constitution, it has been stated that there will be no discrimination on the basis of religion, race, caste, gender and place of birth. This distinction was made during the British era.

According to Article 16, equal opportunities have been provided for and according to Article 17, untouchability has been abolished. According to Article 19, the Constitution has given these rights to tribal men and women. According to Article 23 of the Constitution, forced labor, immoral trade in disabled people have been declared illegal.....

The number of tribal men and women is small. According to Articles 25 and 29 of the Constitution, religious freedom, educational and cultural rights have been given to individuals by the Constitution. Under Article 164 of Part Four of the Constitution, more tribals. There is a provision to appoint a separate minister in the states of Bihar, Orissa and Madhya Pradesh where the tribals are located.[5] Under Article 46, the Constitution promises to protect the weaker sections of the tribal community from social injustice and all forms of exploitation, keeping in mind their educational and economic interests._According to Article 330, reserved seats are kept in the Lok Sabha for the Scheduled Castes and Tribes so that representatives of that community can go to the legislature and raise the problems of their community. According to Article 338, a National Commission for Scheduled Tribes is appointed. If they are deprived of their rights and protective measures, an inquiry is conducted and they are advised to be included in the development process. According to Article 243, reserved seats are kept in local self-government bodies for the Scheduled Tribes in the Panchayat Raj system. According to this, tribal women also get the opportunity to lead the village, taluka and district. One-third of the reserved seats are reserved exclusively for women. [6]

Many changes have taken place among the tribals in Dhule, Nandurbar district in the last 50 years. Along with the changes, there has been a cultural transition. Tribal women are also aware that they will not be able to compete with the outside world without educational and economic progress. In the later half of independence and the first half of independence, charitable organizations emerged in the tribal areas of Dhule, Nandurbar district. These include Village Industries Center, Sarvodaya Center, Forest Workers Cooperative Society, various educational institutions and hostels. These include the community that were in the darkness of ignorance for many years. Tribal women have gained the power of light. Due to the constitutional provisions that are necessary for development, according to Article 14,

equality before the law, according to Article 15-1, discrimination against women on Scheduled Tribes is prohibited. Special provisions have been made for women in jobs. This reservation has been made in Article 17, Article 46, protection of the interests of Scheduled Castes, according to 330, 332, reservation in elections to the Lok Sabha and the Legislative Assembly, according to 334, the period of reservation, according to 338_A, the National Commission for Scheduled Tribes, according to 73 and 74, 33% reservation in local self-government bodies, according to the amendments As per D, reserved seats have been provided for ST women in Panchayats and Municipalities.

Current situation and tribal women's problems: Although literacy rates have increased, tribal women still lag behind the average Indian woman. Malnutrition, maternal mortality, and infant mortality rates are also high._These tribal women depend on wages. Often, they have to turn to prostitution due to lack of work. They have been displaced from the forest and land. Superstition, witchcraft, allegations of being Dakin, and killing them for being so, are still common occurrences today. These tribal women have to face human trafficking, domestic violence and social exploitation.

Although constitutional provisions have given rights and opportunities to tribal women, their implementation is lacking in reality. Although there has been some progress in education, employment and politics, there are still big challenges in the fields of health, security and social justice. And this challenge is being faced by tribal women today.

Conclusion

1) Due to the admission and scholarship scheme for tribal girls, the rate of tribal girls going to school has increased. Tribal settlement ashram schools have been established in some states.
2) Due to 33 percent reservation, tribal women are working as Sarpanchs and members in Panchayati Raj and municipalities.
3) Due to self-help groups (SHG) and women's self-help groups (MSGs), tribal women have become literate. In some states, Jharkhand, Chhattisgarh, Maharashtra women have become MLAs (Parliament). In some states, Jharkhand, Chhattisgarh, Maharashtra women MLAs have become MPs. According to the Forest Rights Act 2006, women have got joint rights to land. The Prevention of Atrocities Act 1989 has been passed. The Prevention of Domestic Violence Act has also been implemented for tribal women in 2005.
4) Constitutional provisions have given rights and opportunities to tribal women, but implementation is actually lacking. Although there has been some progress in education, employment and politics, it is regrettable to say that there is still no progress in the fields of health, security and social justice.
5) Due to the provisions given by Indian Constitution, tribal women are becoming aware, empowered and capable of leadership, but it is very important for the government and society to take concrete steps to eliminate the problems of poverty, displacement, superstition and violence.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Values in Indian Constitution and Education: A Contemplation

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Manuscript ID:
JRD -2025-170918
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 75-77
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Indian Constitution serves as both a legal framework and a moral compass for building an inclusive and democratic society. Education, on the other hand, acts as a powerful tool to internalize and practice constitutional values. Through the Preamble, Fundamental Rights, Directive Principles of State Policy, and Fundamental Duties, the Constitution emphasizes values such as justice, equality, liberty, fraternity, secularism, and national unity. Education translates these ideals into everyday practice by fostering critical thinking, respect for diversity, social responsibility, and civic consciousness. The contemplation between constitutional philosophy and educational practice ensures that democratic values are not limited to legal texts but become a living part of society. Thus, education and the Constitution are interdependent—where the Constitution sets the vision, and education makes that vision a reality.

Keywords: *Education, Values, Society, Preamble, Amendment, contemplation.*

Introduction:

The Constitution of India came into force on 26th January 1950. It is not only the law book of our country but also the moral guide for all citizens. It was prepared under the leadership of Dr. B.R. Ambedkar and shows the dream of making India a modern and democratic nation. The Constitution talks about important values like justice, equality, liberty, and fraternity. It helps to run the government properly and also teaches people how to live together peacefully in a diverse country like India. The makers of the Constitution understood that just having rules is not enough. People must also follow and believe in these values. The Preamble of the Indian Constitution provides the foundational values that guide not only governance but also the philosophy of Indian education. It reflects the vision of creating a society based on justice, liberty, equality, and fraternity, and education becomes the medium through which these ideals are poured in its citizens. For this, education is very important. Education not only gives knowledge but also teaches us about democracy, respect for others, secularism, and social justice. A good education system helps students become responsible citizens who respect the Constitution and work for the progress of the nation. So, the Constitution and education are closely connected. The Constitution gives us the vision of a just and equal society, and education helps to make this vision real in everyday life. In this way, education spreads the values of the Constitution and plays an important role in nation-building and social change.

Education has always been recognized as a powerful medium of social transformation. In the Indian context, it serves as the most effective instrument for implementation of the core ideals of the Constitution into its citizens. While the Constitution provides the philosophical and legal framework of the nation, it is through education that these ideals are internalized, practiced, and sustained across generations. By shaping values, attitudes, and behaviors, education enables individuals to become not only literate but also socially responsible citizens who uphold the constitutional Values. The role of contemplation is very important in connecting the ideas of the Constitution with real life practice.

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How to cite this article:
Bhopale, O. A. (2025). Values in Indian Constitution and Education: A Contemplation. Journal of Research & Development, 17(9(V)), 75–77. https://doi.org/10.5281/zenodo.17678521

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678521
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The Constitution gives us principles in theory, but education helps us bring those principles into daily life. For example, when schools teach students to treat everyone equally, it reflects the value of equality. When children learn to respect different religions and cultures in class, it shows the value of secularism. In this way, education makes sure that constitutional values do not remain only on paper but are also practiced in society. Schools can teach values like honesty, respect, responsibility, kindness, and tolerance through lessons, activities, and real-life examples. When students practice these values, they learn to become good citizens who respect others and live by the way lead by the Constitution.

Contemplation about Fundamental Rights and Education:

The Fundamental Rights enshrined in the Constitution provide not only legal entitlements but also educational values that shape citizenship. When we look at the contemplation, these rights encourage how constitutional philosophy reflects into Education system. Education becomes the most effective tool to practice equality. By ensuring non-discrimination in its access, curriculum, and opportunities, schools cultivate a culture where students reflect on fairness and respect for all. Freedom of thought and expression is realized in education when students are encouraged to question, discuss, and express diverse viewpoints. Contemplation in Indian Constitution and Indian Education System seems moving beyond just learning and going towards independent and critical thinking. Declaring education a fundamental right by the 86th amendment Act of 2002 reflects the constitutional vision of social justice. Through contemplation, society recognizes that universal education is not just a policy but a moral duty to empower every child.

Also Protecting minority rights ensures cultural diversity in the system. Here it involves recognizing the richness of India's pluralism and learning to respect diversities within education. Together, these rights uphold human dignity and social empowerment. By connecting both of constitution and education reflects their deeper meaning, education goes beyond academics to become a transformative tool that enrich equality, liberty, and inclusivity in everyday life of its citizens.

Contemplation about Directive Principles of State Policy:

The Directive Principles of State Policy explains the moral vision of the Nation and guide the State toward building a well society. In education, the policies act as a reminder that constitutional theory must be meaningfully practiced, many of them directly influence the philosophy and policies of education in India. Like DPSPs emphasize reducing inequalities in education by ensuring that all sections, particularly the marginalized, have access to quality learning. Initiatives like reservations, scholarships, and mid-day meals are inspired by this directive. Education is seen as the most effective instrument to address caste, gender, and class-based inequalities. By providing inclusive education, DPSPs strengthen the constitutional goal of achieving social justice. DPSPs encourage policies in a matter that align education with the welfare of the people. Education helps students understand and practice these values.

While Fundamental Rights guarantee freedoms and DPSPs encourage the educational policies to inculcate values in education, the Fundamental Duties stated in Article 51-A of the Constitution remind citizens of their responsibilities toward society and the nation. Education plays a very important role in cultivating awareness and commitment to these duties. It also ensures that students not only claim their rights but must practice their responsibilities given in the constitution. Schools and colleges are spaces where students from diverse backgrounds come together. Education maintains harmony by teaching respect for cultural, linguistic, and religious diversity, and hence promotes the Unity in Diversity.

Contemplation about Fundamental Duties:

The Constitution encourage students to promotes the habit of inquiry and rational thinking. Education directly enriches these duties by encouraging critical thinking rather than blind faith. On another Hand Through education, students learn the importance of civic responsibility—respecting school property, conserving resources, and protecting public goods. This practice in early years shapes responsible citizenship. The constitution does not only just states the duties of the citizens but also encourage parents to educate their child. Through The 86th Constitutional Amendment (2002) made it a duty of parents to provide education to their children between 6–14 years. This reflects the contemplative realization that education is not only a right of the child but also a responsibility of families and society. By integrating these duties into learning, education ensures the overall development of citizens who balance rights with responsibilities, thereby strengthening democracy and nation-building.

Education is not only a means of personal growth but also a powerful instrument for transforming society. Education plays a vital role in transforming society by reducing inequality and giving equal opportunities, it helps bridge the gap between all the discrimination in communities. Access to quality education empowers weaker sections of society to overcome social, economic, and cultural barriers. Thus, education becomes a key driver of justice, equality, and inclusive development and all the other values as envisioned by the Constitution. The Indian Constitution provides the moral and legal framework for building an inclusive and democratic society, while education serves as the primary instrument for realizing these constitutional goals. Thus, education and the Constitution are deeply interlinked: the Constitution sets the vision, and education makes that vision achievable in practice. "Without education, constitutional goals remain on paper, with education, they become reality."

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Digital Constitutionalism: Safeguarding Justice in the Era of Surveillance and Data Protection

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Manuscript ID:
JRD -2025-170919
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 78-80
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Indian constitution is 75 years old, it's a good time to consider how our constitutional values are holding up in today's digital society. Technology has changed how we live, work, and communicate with the government. It's speed up things and made it easier to connect, but it has also raised concerns about privacy, data misuse, and surveillance. Recent discussions around Aadhar, Pegasus spyware, and the Digital Personal Data Protection Act, 2023, reveal growing questions about people's rights in the digital world. This article explores how we can apply constitutional ideas like freedom, equality, and dignity to the digital space. The Paper also examine about the Judicial decision to protect the rights in digital era, gaps in our laws, the role of big technology companies, and the difficulties of protecting people from surveillance by both the government and corporations. In closing, this paper suggests that India could use a better system, like a digital bill of rights, to protect justice and ensure that constitutional values are respected in this age of tech and data.

Keywords*: Constitution, Digital Era, Digital Constitutionalism, Justice, Protection*

Introduction:

For 75 years, the Indian Constitution has shaped our democracy, protecting freedom, equality, and justice. The framers of the Constitution couldn't have guessed the problems the digital age would bring. Now, technology is key of governance, Comunication, and of our lives. Things like Aadhaar, online banking, social media, and digital government show how much digital stuff is tied to our rights. But we also have worries about things like mass spying, personal data being misused, and our growing dependence on Digital media, which threaten constitutional protections. This rapid Digitalisationintroduce the concept of Digital Constitutionalism. This means using constitutional ideas in the digital world to protect basic rights in cyberspace. In India, the Puttaswamy case made privacy a basic right, but problems still exist with laws like the Digital Personal Data Protection Act, 2023, and how the government watches people.This Paper looks at how to keep constitutional values alive in the tech age, what the courts and lawmakers can do about digital rights, and why we need stronger ways to protect people in the future.

Digital Constitutionalism - Conceptual Framework:

The concept of Digital constitutionalism has emerged in recently as thinkers like Academics, Judges, and government officials work to figure out how constitutional values can be applied into the digital world. Usually, constitutionalism is about limiting the government's power and making sure that the governance is carried out according to principal of justice, liberty and equality. But now, In the Digital era these values are at risk not just from the government but also from big companies that handle huge amounts of personal data.

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How to cite this article:
Kadam, S. J. (2025). Digital Constitutionalism: Safeguarding Justice in the Era of Surveillance and Data Protection. Journal of Research & Development, 17(9(V)), 78–80. https://doi.org/10.5281/zenodo.17678558

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678558
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Digital constitutionalism is about preparing the set of principles, rules, norms and rights which protects the society or individual in the online or digital era. It says that the values in the Constitution like Dignity (Article 21), freedom speech (Article 19), and equality (Article 14) should also get extended to digital world. It also points out that we need to keep an eye on surveillance, be clear about how data is gathered, and avoid unfairness or misuse of technology.

Around the world, the European Union's GDPR is seen as a move in the direction of digital constitutionalism because it sets rules for privacy and data protection. The United Nations has also said that human rights are important both online and offline. In India, the right to privacy was recognized as a basic right in 2017, which was a big deal. Still, things like widespread surveillance and weak protections in the Digital Personal Data Protection Act of 2023 show that digital constitutionalism is still developing.So, digital constitutionalism is really about creating a system to govern technology that focuses on rights, making sure that new technology doesn't mess with the main ideas of the Constitution.

Surveillance and Privacy in India:

Surveillance has turned into a constitutional concerns in India. The government usually says snooping is for things like keeping the country safe and helping people out. But if it goes too far, it could mess with what people are allowed to do. The Constitution doesn't say anything about privacy, but the Supreme Court did. Back in 2017, they said privacy is a basic right. Aadhaar is a good example of how tricky this is, It made welfare programs to work better, but it grabs personal data that could be misused. In the Judgement of Supreme Court on Aadhaar in 2018, it upheld the scheme but limited its use, court acknowledge the risk of excessive data collection.

The Pegasus spyware controversy further highlighted the dangers of unchecked state surveillance, as it allegedly targeted journalists, activists, and political leaders. The Court's decision to appoint a committee reflected the need for greater accountability. Private corporations also play a role, as digital companies and social media platforms routinely collect and exploit personal data. So, India has to figure out how to keep things safe but still protect people's rights. Surveillance shouldn't get in the way of what the Constitution says people can do.

Data Protection Laws and Constitutional Safeguards:

Protecting personal data is now a necessity in India because of digital technology is growing rapidly. When privacy was recognized as a basic right in the case of Justice K.S. Puttaswamy v. Union of India case (2017), it set the stage for better data protection laws. But until not too long ago, India didn't have a complete set of rules for how personal information is gathered and used. The Information Technology Act, 2000, and its rules were a step, but they mostly dealt with computer crimes and are not enough to protect personal data. In 2023, Parliament passed the Digital Personal Data Protection (DPDP) Act, 2023, which is India's first real data protection law. This law lays out provisions for how data is collected, used, stored, and how people give their permission for it to be used. It gives people rights to see, fix, and delete their personal data. It also puts duties on companies and government groups that handle data.

But, the law has been criticized. Some say that it gives the government too many exceptions when it comes to "national security" and that the data protection authority isn't really independent. This makes people wonder if the law can really balance personal rights and government power. So, while the DPDP Act is a good move toward digital rights, we still need stronger protections and court supervision to fully protect people's rights in this digital age.

Judiciary and Digital Rights:

In India, the judiciary has been given a landmark judgement in deciding how digital rights work. Because technology has been changing faster than the laws, the courts have become the main protectors of our freedoms in online era. In Justice K.S. Puttaswamy v. Union of Indin, 2017 Supreme Court said that privacy is a basic right under Article 21. This decision helped protect people from being watched too closely and having their personal information misused. Later, in the Aadhaar case in 2018, the Court ruled that Aadhaar was okay but was criticised for the use of data by private companies. This showed that the Judiciary has a important role in protecting the privacy rights.

The ShreyaSinghal v. Union of India case in 2015 dealt with free speech online. The Court took down Section 66A of the IT Act because it was too unclear and limited what people could say online. Also, in cases about the Right to be Forgotten, Indian courts have agreed that people should be able to control what's been published online about them, but there's no standard set of rules for this yet.

These decisions show that the judiciary has been working to protect our rights in the online world. As India uses more and more technology, the way the courts interpret laws will keep being key to protecting citizens and their values in new situations.

Challenges in Digital Constitutionalism:

India has been in progress to recognise privacy and data protection, but there are problems in creating a good structure for digital constitutionalism.

1. State Surveillance - Governments often say they need to watch people for national security, but there isn't enough clear oversight, so it could be easily misused. Things like Pegasus show that unchecked watching can harm democracy and freedom.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

2. Corporate Control over Data - Private companies, like Google, Meta, and Amazon, gather and monetise massive amount of personal data. This can lead to profiling, manipulation, and privacy violations without people knowing or agreeing to it.
3. Weak Legal Protection - The Digital Personal Data Protection Act, 2023 is good, but it gives the government many exceptions and doesn't ensure independent control. This makes it not as helpful in protecting rights.
4. Biased Algorithms and AI - Automated systems can discriminate against people based on race, gender, or money, which brings up questions about equality and fairness.
5. Lack of Digital Knowledge - Many people in India don't know how their data is collected or used. Without knowledge, they can't protect their rights online.

These problems show that even though constitutional principles are still important, we need to constantly watch, create stronger laws, and demand more responsibility from both the government and companies when it comes to the digital world.

Future Pathways:

As India enters the next phase of its constitutional journey, it is essential to strengthen protections for citizens in the digital age. Digital Constitutionalism gives us a way to make sure our values still matter as technology changes. One thing we can do is to create a Digital Bill of Rights. This would clearly state that things like privacy, data protection, and digital freedom are the actual rights that can be enforced. This would really help to protect against misuse of personal information by both the government and companies.

We also need independent groups with real power to keep an eye on surveillance and data processing. When the government claims national security, there needs to be a balance, with accountability and court oversight.

The Judiciary will keep being important. They'll need to figure out how constitutional rights apply to new technology like AI, facial recognition, and how algorithms are used to govern. The courts have to make sure that new technology doesn't take away our freedom, respect, or equality just to be more efficient. Lastly, it's really important to help people understand technology and their rights so they can make good decisions and stand up for themselves.

Conclusion:

Seventy-five years after its adoption, the Indian Constitution continues to serve as the foundation of our democracy. But, the digital change has brought problems that the framers of Constitution couldn't have foreseen. Recognizing privacy as a basic right, putting limits on Aadhaar, and getting rid of Section 66A are all big steps. But, we still need to do more to make sure that things are open, that people are responsible, and that there is independence in how we control digital technology. The Digital Personal Data Protection Act of 2023 is progress, but its weaknesses show that we need stronger protections soon. To continue, India should use a rights-based way to control technology, supported by judicial vigilance, law changes, and people knowing what's going on. Only then we can really protect fairness and keep the core of what the Constitution is about alive in this digital time.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Gender Justice and the Right to Equality: A Constitutional and Judicial Discussion in India

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Manuscript ID:
JRD -2025-170920
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 81-84
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The gender justice and right to equality constitute the basis of modern democratic constitutions. The object of modern democracy is a society free from discrimination where every individual has equal access to rights, resources and opportunities. This paper critically examines the concept, development, challenges and implementation of gender justice in India through constitutional and other legal provisions and judicial decisions. The study disseminates major barriers in gender justice such as patriarchal norms, cultural resistance and economic inequalities. Finally, the paper advances recommendation to achieve actual gender equality in law and practice through collaborative efforts between state, civil society and individuals to foster a truly inclusive society.

Keywords: *Gender Justice, Right to Equality, Constitution, Discrimination, Judicial Interpretation, Social Justice, India*

Introduction

Gender justice and right to equality are most fundamental principles in democracy. Gender justice refers to fair treatment of individuals across all genders and demands structural transformation of society into strata less society. The right to equality is a fundamental right of individual protecting against discrimination on arbitrary grounds including sex and gender. These two principles aim at achieving commitment of society to fairness, dignity and inclusiveness.

In Indian context, the concept of gender justice is deeply enshrined in the constitution which guarantees equality before law and prohibits discrimination. Even though after 75 years of constitution, the reality of many women, transgender persons and marginalised communities shows that legal promise of equality is not inculcated in practice. Bridging this gap between constitutional ideas and societal realities is both challenge and necessity of gender justice. This paper seeks to critically analyse the constitutional framework, judicial contribution, policy measures that shape the gender justice in India.

Objectives of the Study:

1. To study the constitutional provisions related to gender justice and equality in India.
2. To find out the ethos and values underlying the gender justice in India.
3. To analyse landmark judicial rulings that have shaped gender justice jurisprudence.
4. To discuss the challenges to Gender Justice

Constitutional Framework of Gender Justice:

The Indian Constitution lays a strong foundation for gender equality through a range of provisions.

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How to cite this article:
Pansare, N. A. (2025). Gender Justice and the Right to Equality: A Constitutional and Judicial Discussion in India. Journal of Research & Development, 17(9(V)), 81–84. https://doi.org/10.5281/zenodo.17678594

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678594
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Preamble

Objectives enshrined in the preamble secures to every citizen equality of status and opportunity. The use of gender-neutral terminology such as "person" and "citizen" in constitutional drafting further broadens the scope of inclusivity, allowing recognition of women and transgender individuals. Hence, the Constitution not only articulates equality as a formal principle but also endorses substantive equality by enabling protective and affirmative actions.

Fundamental Rights –

Article 14 guarantees equality before the law and equal protection of laws, forming the basis of all rights. Article 15 explicitly prohibits discrimination on grounds of religion, race, caste, sex, or place of birth. Further, Article 15(3) empowers the state to make special provisions for women and children, thus recognizing the need for affirmative measures to achieve substantive equality. Article 16 ensures equality of opportunity in public employment, while Article 17 abolishes untouchability, a measure with profound implications for women from marginalized communities.

Directive Principles of State Policy –

Part IV of the Indian Constitution consist of The Directive Principles of State Policy incorporate many directives to the State to improve the status of women and for their protection

Article 39(a) directs the State to direct its policy towards securing that the citizen, men and women, equally have the right to an adequate means of livelihood.

Article 39(d) directs the State to secure equal pay for equal work for both men and women.

Article 39(e) specifically directs the State not to abuse the health and strength of workers, men and women.

Article 42 of the Constitution incorporates a very important provision for the benefit of women. It directs the State to make provisions for securing just and humane conditions of work and for maternity relief.

Other provisions

Furthermore, Articles 243D and 243T provide for the reservation of seats for women in local governance institutions, thus enhancing women's political representation.

Specific Provisions in Other Acts

1) The Immoral Traffic (Prevention) Act (1956)

This act criminalizes trafficking of women and children for commercial sexual exploitation.

2) The Maternity Benefit Act (1961)

This act ensures that female employees are entitled to paid maternity leave and other maternity benefits.

3) The Dowry Prohibition Act (1961)

This act criminalized the giving and accepting of dowry, aiming to protect women from this harmful practice.

4) The Medical Termination of Pregnancy Act (1971)

This law guaranteed women the right to safe and legal abortion, promoting reproductive rights.

5) The Equal Remuneration Act (1976)

This act ensures equal wages for men and women for equal work.

6) The Protection of Women from Domestic Violence Act (2005)

This act recognized the rights of women in domestic relationships and provided legal recourse against domestic violence.

7) The Prohibition of Child Marriage Act (2006)

This act criminalizes the practice of child marriage, setting the legal age of marriage for women at 18.

8) The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act (2013)

This act provides legal protection against sexual harassment at the workplace.

9) The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994

An Act to provide for the prohibition of sex selection, before or after conception, and for regulation of prenatal diagnostic techniques for the purposes of detecting genetic abnormalities or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of their misuse for sex determination leading to female foeticide.

10) The Transgender Persons (Protection of Rights) Act, 2019

An Act to provide for protection of rights of transgender persons and their welfare and for matters connected therewith and incidental thereto.

Judicial Interpretation and Gender Justice

Judicial creativity has often bridged the gap between static legal provisions and evolving social realities.

1) In Air India etc. v. Nergesh Meerza (1981), the Court struck down service conditions that unfairly discriminated against women employees. The Court in Nargesh Meerza emphasized that pregnancy cannot be penalized because it violates women's liberty and dignity. It upheld the constitutional vision of gender equality, even though it did not fully challenge patriarchal service rules like the retirement age.

2) In National Legal Services Authority v. Union of India (2014), the Court recognized transgender persons as the "third gender," affirming their constitutional rights to equality and dignity

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

3) In Navtej Singh Joharand Ors. v. Union of India (2018), the Supreme Court decriminalized consensual homosexual relations, thus dismantling colonial-era provisions that perpetuated discrimination. Together, these rulings demonstrate the judiciary's progressive role in realizing constitutional ideals of gender justice.

4) The Indian Young Lawyers Association v. State of Kerala, 2018

In this case supreme court addressed the Sabarimala temple entry issue, emphasizing women's right into equality in matters of religion.

5) Joseph Shine v. Union of India (2018)

The Supreme Court decriminalized adultery under Section 497 IPC, stating that the law treated women as property of their husbands and violated their dignity.

6)Akella Lalitha v. Konda Hanumantha Rao and Others (2022)

The Supreme Court, in this case, held that a mother, as the natural guardian of her child, has the sole right to decide the child's surname and even give the child up for adoption. The Court set aside an Andhra Pradesh High Court order that had directed a mother, who had remarried after her first husband's death, to restore her child's original surname. The Supreme Court observed that the High Court's direction was arbitrary, cruel, and failed to consider the mother's rights and her role as a natural guardian.

7)Aureliano Fernandes v. State of Goa and Others (2023)

The Court emphasized the importance of implementing the POSH Act in both letter and spirit and directed the Central and State Governments to take concrete measures to ensure compliance with the Act to protect women from workplace harassment.

8) Arshnoor Kaur & Anr. v. Union of India (2025)

The Supreme Court clarified that gender neutrality (selecting the most capable candidate regardless of gender) is not the same as gender equality (ensuring equal representation). It struck down the Indian Army's JAG entry policy, noting that a "neutral" policy may disproportionately affect women and called for a unified merit list, ensuring transparency and fairness.

Policy Measures

The Indian government has implemented various policies aimed at promoting women's rights, including the National Policy for Empowerment of Women (2001), the National Mission for Empowerment of Women (2010) and the Beti Bachao Beti Padhao campaign (2015) which seek to improve the skewed sex ratio and promote the education of girls.

Intersectionality in Gender Justice

A critical aspect of gender justice lies in recognizing intersectionality—the overlapping of gender with other identity markers such as caste, class, disability, and sexuality. Women from Dalit and tribal communities, for example, often experience multiple layers of discrimination that cannot be addressed by gender-neutral policies alone. Similarly, LGBTQ+ individuals from marginalized socio-economic backgrounds face compounded exclusion. Intersectional analysis reveals that achieving gender justice requires nuanced, targeted policies that address the unique vulnerabilities of different groups.

Challenges to Gender Justice

Despite strong constitutional and legal framework, gender justice in India continue to face several challenges

1. Patriarchal mindset- Patriarchal system in India continues to undermine constitutional promise of gender equality. Women role in family and society hinders her progress in education and employment.
2. Cultural barriers - Long standing customs and religious practices always overrides existing laws relating to equality.
3. Violence against women and transgender-Women and transgender often face sigma and violence from society. Even existing laws face difficulty in implementation.
4. Socio -economic challenges- Women and transgender lack access to health, education and employment which leads them to economic helplessness.
5. Weak implementation of Laws- Slow judicial processes, lack of awareness, social stigma are hindrances in gender justice.
6. Representation in Politics- Constitution provided for representation of women and transgender in politics but, still they remain underrepresented in actual practice.

Suggestions

To overcome above challenges, below are some recommendations:

1. Strengthening legal enforcement: Ensure effective implementation of existing laws with speedy disposal mechanism.
2. Gender-sensitive education: Inclusion of concept gender justice in school and college syllabus and conduct awareness campaigns to challenge patriarchal norms.
3. Inclusive policy frameworks: Design policies that adopt intersectional approaches, addressing the needs of women, transgender persons, and marginalized communities.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

4. Economic empowerment: Create employment opportunities, provide childcare support, and promote women's participation in the workforce.
5. Data transparency: Publish regular data on gender-based violence, conviction rates, and regional disparities to ensure accountability.
6. Cultural transformation: Promote gender sensitivity through media, community programs, and cultural institutions.

Conclusion

Even if constitution and statutes recognised the right to equality, judicial interpretations time to time advanced the cause of gender justice and journey towards genuine equality remains unfinished. After seventy-five years of constitution, we have come long ahead in gender justice but, true equality is a dream. we do not find any reason for true equality in a male chauvinism. But supreme court judgments compel the society to change their mindset towards women and third gender.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Climate Change, Religion and the Constitution: Integrating Indian Traditional Knowledge for a Sustainable Future

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Manuscript ID:
JRD -2025-170921
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 85-89
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Climate change has emerged as one of the gravest threats to humanity, disproportionately affecting vulnerable communities and ecosystems (Atapattu, 2015, p. 77). India, being among the most climate-vulnerable nations, faces acute water stress, erratic monsoons, biodiversity loss, and rising pollution (TERI, 2020, p. 42). While modern technologies such as Artificial Intelligence (AI) and desalination are being deployed to mitigate such challenges, they also create ecological pressures, particularly on energy and freshwater use (CSE, 2021, p. 97). Indian traditional and religious practices—such as reverence of rivers, sacred groves (Devrai), Ayurveda-based plant conservation, and community-based water harvesting systems—reflect an enduring ecological ethos (Gadgil & Guha, 1992, p. 118). These practices embody spiritual and cultural frameworks where religion and sustainability are deeply intertwined. The Indian Constitution complements this heritage through Articles 21, 48A, and 51A(g), which recognize the right to a healthy environment and impose duties on both State and citizens to safeguard nature (Constitution of India, pp. 12–14). Judicial activism, through cases like M.C. Mehta v. Union of India (1987, AIR 1086) and Vellore Citizens' Welfare Forum v. Union of India (1996, SCC 667), has further constitutionalized environmental protection.

This paper explores the intersection of religion, climate change, and the Constitution by analyzing traditional ecological wisdom, constitutional provisions, and contemporary challenges such as AI-driven water use. It argues for a hybrid model that integrates faith-based practices, constitutional mandates, and modern innovations, offering sustainable pathways for addressing climate vulnerability and safeguarding future generations.

Keywords: *Climate Change, Religion, Indian Knowledge System, Constitution of India, Judicial Activism, Desalination, Artificial Intelligence*

Introduction

Climate change is regarded as one of the most pressing challenges of the twenty-first century, with far-reaching implications for humanity (IPCC, 2021, Ch. 12, p. 874). Rising temperatures, erratic rainfall, groundwater depletion, and biodiversity loss have made South Asia, particularly India, one of the most climate-vulnerable regions (IPCC, 2023, SPM, p. 16). Reports warn that millions across the subcontinent face displacement, health crises, and livelihood loss. Modern technological tools such as Artificial Intelligence (AI) and desalination plants are being adopted to mitigate climate stress. While AI contributes to climate modelling, agriculture prediction, and water optimization, its infrastructure (large data centres) consumes massive amounts of water and energy (CSE, 2021, p. 99). Similarly, desalination plants provide alternative water security but generate ecological risks through brine discharge and high electricity demands (UNEP, 2019, p. 133).

Against this background, India's civilizational and religious traditions offer enduring ecological wisdom. Gadgil and Guha (1992, p. 118) document sacred groves (Devrai), community water harvesting, and rituals that embed conservation in everyday practices. Ancient texts like the Rigveda (Mandala X, Hymn 75, p. 214) and Arthashastra (Book II, Chapter 24, p. 376) reflect early environmental governance rooted in ethics of dharma.

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How to cite this article:
Dhulap, R. S. (2025). Climate Change, Religion and the Constitution: Integrating Indian Traditional Knowledge for a Sustainable Future. Journal of Research & Development, 17(9(V)), 85–89. https://doi.org/10.5281/zenodo.17678639

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678639
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

These faith-based ecological traditions resonate with the global discourse on sustainability and "faith-based environmentalism" (Kapur, 2020, p. 89). The Indian Constitution reinforces this ethos: Article 48A directs the State to protect forests and wildlife, while Article 51A (g) obligates citizens to safeguard nature (Constitution of India, pp. 12–14). Judicial interpretations of Article 21 have expanded the "Right to Life" to include the right to a clean environment (Subhash Kumar v. State of Bihar, 1991, SCC 598). Thus, the integration of spirituality, law, and modern science offers a unique Indian model for sustainable futures.

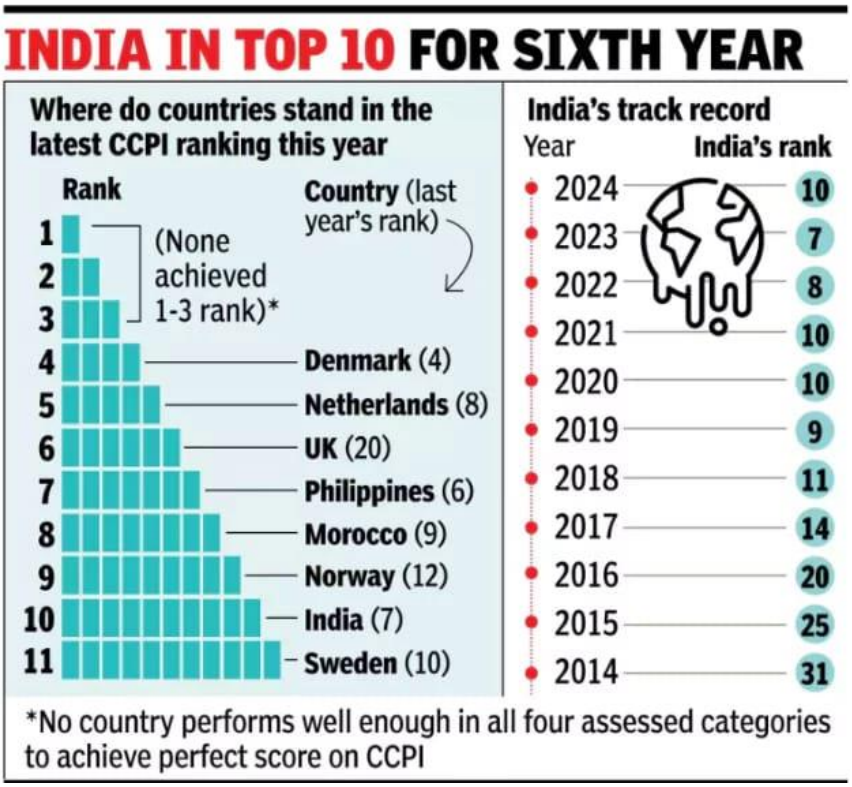

Figure 1: Global Climate Risk Index – India's Vulnerability

Literature Review

1. Indian Traditional Knowledge and Sustainability

Gadgil & Guha (1992, p. 118) highlight sacred groves (Devrai) and community-based ecological traditions.
Sharma (2019, p. 65) emphasizes dharmic principles and festivals sustaining biodiversity.
Ancient texts like the Rigveda (Mandala X, Hymn 75, p. 214) and Arthashastra (Book II, Chapter 24, p. 376) reveal early ecological governance.
Kapur (2020, p. 89) underlines that religious ethics in India promote "faith-based environmentalism."

2. Climate Change and Modern Pressures

IPCC (2021, Ch. 12, p. 874) warns South Asia is highly vulnerable to extreme weather.
IPCC (2023, SPM, p. 16) highlights risks of heat stress and food insecurity.
TERI (2020, p. 42) identifies industrial water stress.
CSE (2021, p. 97) documents water use of AI data centres.

3. Desalination Debate

UNEP (2019, p. 133) notes desalination reliance in Israel, UAE, and Saudi Arabia but also brine pollution.
Ravindra S. Gaur & Vineeta S. Gaur (2020, p. 205) evaluate Tamil Nadu's desalination plants, noting both promise and ecological concerns.

4. Constitutional Perspectives

Constitution of India (Articles 21, 48A, 51A(g), pp. 12–14).
M.C. Mehta v. Union of India (1987, AIR 1086) emphasized environmental rights under Article 21.
Subhash Kumar v. State of Bihar (1991, SCC 598) recognized right to clean water.

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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

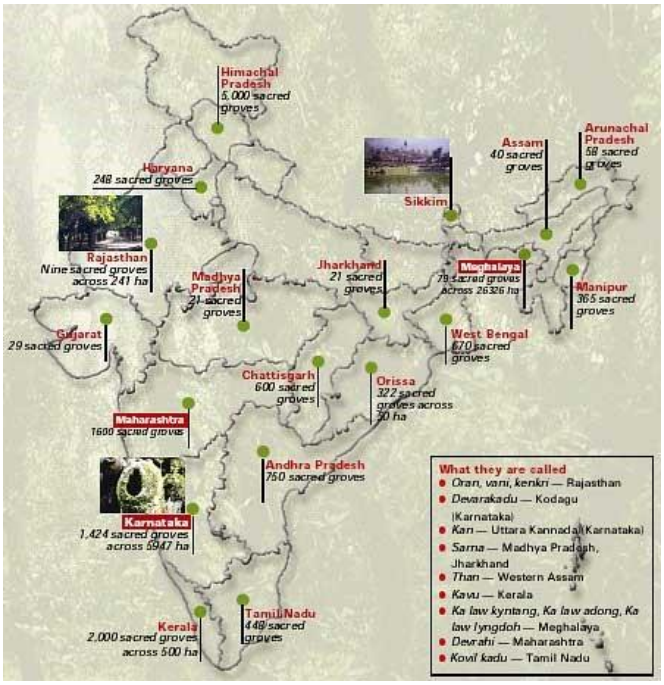

Figure 2: Map of Sacred Groves and Biodiversity Hotspots in India

Constitutional Provisions and Environmental Protection

Article 21: Expanded to include the right to a healthy environment (Subhash Kumar, 1991, SCC 598).
Article 48A: Directive Principle obligating the State to protect forests and wildlife.
Article 51A(g): Fundamental Duty requiring citizens to safeguard the environment.
Together, these provisions create a constitutional foundation for environmental justice.

Judicial Role and Case Law

M.C. Mehta v. Union of India (1987, AIR 1086): Linked environment to Article 21.
Subhash Kumar v. State of Bihar (1991, SCC 598): Recognized right to clean water.
Vellore Citizens' Welfare Forum v. Union of India (1996, SCC 667): Adopted "Polluter Pays" and "Precautionary" principles.
T.N. Godavarman v. Union of India (1997, 2 SCC 267): Expanded forest protection.
Narmada Bachao Andolan v. Union of India (2000, 10 SCC 664): Balanced development with environment.
Delhi Air Pollution Case (In Re: Air Pollution in Delhi-NCR, 2020, 5 SCC 225): Affirmed right to clean air.

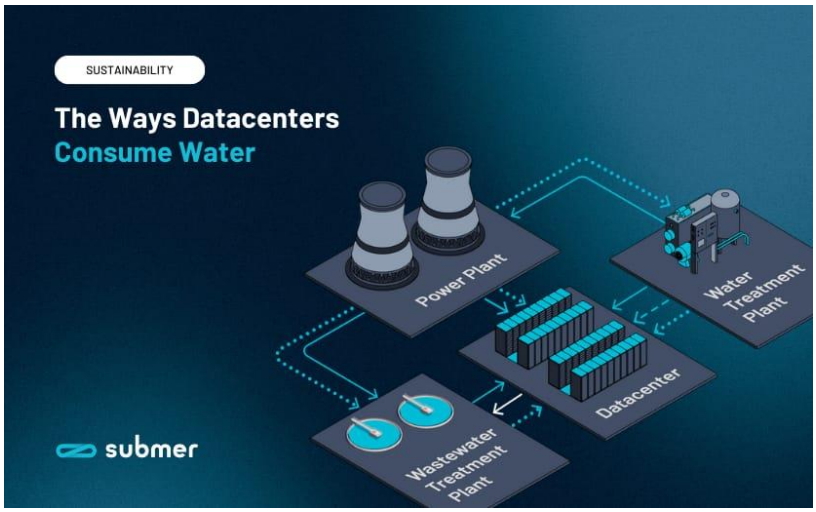

Figure 3: Flowchart – Constitutional Provisions → Judicial Activism → Environmental Rights

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Discussion

1. Religion, Faith, and Environmental Philosophy

Religious practices such as river worship (Ganga, Yamuna), sacred groves (Devrai), and community rituals reflect ecological balance (Sharma, 2019, p. 65). The principle of Ahimsa underpins biodiversity conservation.

2. AI, Water Scarcity, and Desalination

AI assists in climate modelling but consumes vast water for cooling servers (CSE, 2021, p. 99). Desalination ensures water security but generates brine and requires fossil energy (UNEP, 2019, p. 133). A balanced hybrid is needed—renewable-powered desalination for industry, and traditional water harvesting for communities (Ravindra & Vineeta Gaur, 2020, p. 205).

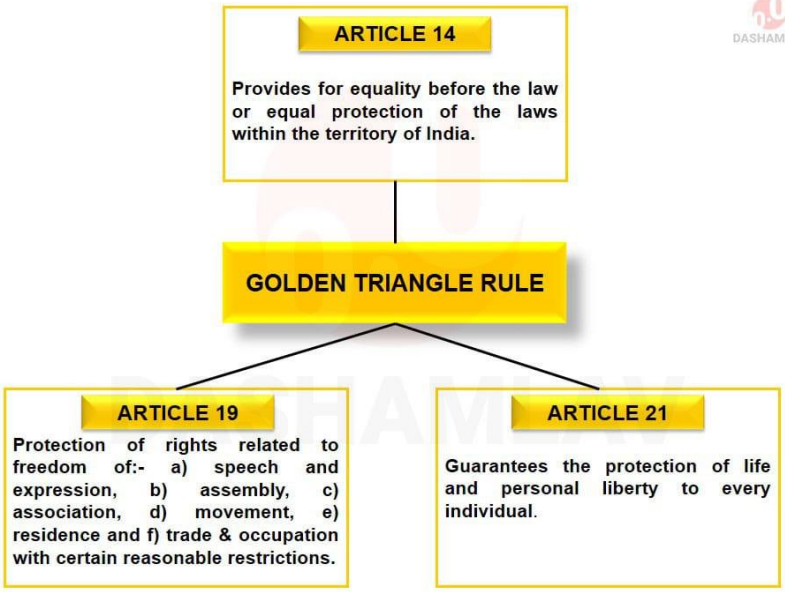
ARTICLE 14
Provides for equality before the law or equal protection of the laws within the territory of India.
GOLDEN TRIANGLE RULE
ARTICLE 19
Protection of rights related to freedom of:- a) speech and expression, b) assembly, c) association, d) movement, e) residence and f) trade & occupation with certain reasonable restrictions.
ARTICLE 21
Guarantees the protection of life and personal liberty to every individual.

Figure 4: Infographic – AI Data Centers Water Use vs Traditional Water Systems

3. Constitutional Mandates and Policy Innovations

LiFE Mission (2022, p. 19): Promotes sustainable lifestyle.

Draft National Water Policy (2023, p. 36): Advocates hybrid solutions.

National Green Hydrogen Mission (2022, p. 11): Encourages renewable-water-energy nexus.

4. Global Relevance

Johad-inspired water harvesting adopted in Africa (Houghton, 2021, p. 74).

COP28 (2023, Outcome Report, p. 9) recognized climate justice.

G20 India (2023, Green Development Pact, p. 6) prioritized ecological balance.

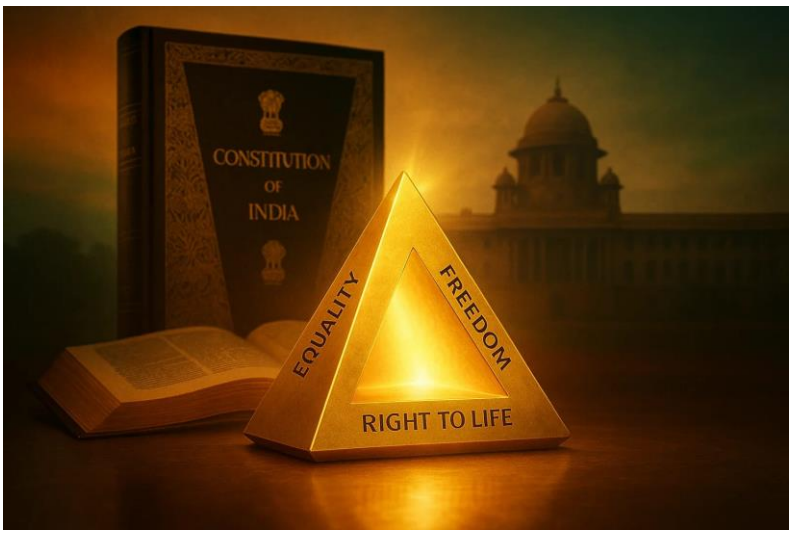

Figure 5: Triangle Model – Religion & Tradition + Constitution & Law + Modern Innovation

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Conclusion And Suggestions

India can present a unique sustainability model combining:

1. Religion & Tradition → Faith-based conservation (sacred groves, river worship).
2. Constitution & Law → Articles 21, 48A, 51A(g) and judicial activism.
3. Modern Innovation → AI, desalination, renewable energy.

Suggestions:

Explicit recognition of Right to Sustainable Environment under Article 21.
Hybrid water solutions: traditional harvesting + renewable desalination.
Mandating renewable-powered AI/data centres.
Integrating Indian Knowledge Systems (IKS) in curricula and policy.
Strengthening NGT in climate-related cases.
Promoting IKS-based models globally as part of climate diplomacy.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

A study of major challenges to Federalism under the Indian Constitution over the past seven decades

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Manuscript ID:
JRD -2025-170922
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 90-94
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

India's federal structure, a unique blend of unitary and federal features, was meticulously crafted to accommodate a vast and diverse nation while ensuring its unity and integrity. Characterized as 'quasi-federal' with a strong central bias, this arrangement has evolved significantly since its inception. This paper delves into the major challenges confronting Indian federalism in the 21st century. It examines issues ranging from political centralization and the erosion of state autonomy to fiscal imbalances, inter-state disputes, administrative complexities, and the implications of asymmetric federalism. By analyzing these multi-faceted challenges, the paper argues that while India's federal framework has demonstrated remarkable resilience, persistent tensions threaten its cooperative spirit, necessitating continuous reform and re-evaluation to foster a more balanced and equitable power-sharing arrangement crucial for national development and cohesion.

Keywords: *Indian Federalism, Quasi-Federal, Centralization, State Autonomy, Fiscal Federalism, Inter-State Disputes, Asymmetric Federalism, Cooperative Federalism, Unitary Bias, Constitutional Challenges.*

Introduction

India, a nation of unparalleled diversity in language, culture, religion, and geography, adopted a federal system of governance upon achieving independence in 1947. However, its federalism is not a conventional one, often described as 'sui generis' or 'quasi-federal' by scholars like K.C. Wheare**.** As a constitutional expert, he called the Indian model"quasi-federal with a strong unitary bias".The framers of the Indian Constitution, deeply conscious of the Indian diversities andneed of national unity, opted for a system that combines the advantages of both federal and unitary polities, with a pronounced tilt towards the Centre. This 'unitary bias' is evident in provisions such as the strong central government, a single constitution, emergency provisions, and the extensive Concurrent List.

Over the past seven decades, India's federal structure has been continuously tested by political exigencies, economic transformations, social movements, and technological advancements. While it has largely succeeded in holding the nation together and enabling democratic participation, it faces a growing constellation of challenges that strain the delicate balance of power between the Union and the States. Understanding these challenges is crucial for appreciating the dynamic nature of Indian polity and for charting a path toward a more robust and responsive federal system. This paper aims to meticulously analyse these major challenges, categorizing them into political, fiscal, administrative, and socio-cultural dimensions, and explores their implications for the future of Indian federalism.

Concept: Indian Federalism

Core characteristics of Indian federalism are discussed as under:

- **Division of Powers:** The Constitution delineates legislative, executive, and financial powers between the Union and the States through the Seventh Schedule, comprising the Union List (exclusive central powers), State List (exclusive state powers), and Concurrent List (both can legislate). Residuary powers rest with the Centre.

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How to cite this article:
Sathe, S. S. (2025). A study of major challenges to Federalism under the Indian Constitution over the past seven decades. Journal of Research & Development, 17(9(V)), 90–94. https://doi.org/10.5281/zenodo.17678678

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678678
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

- **Written Constitution:** A detailed and supreme written constitution forms the bedrock of power distribution.
- **Independent Judiciary:** The Supreme Court acts as the interpreter of the Constitution and the arbiter of disputes between the Centre and States.
- **Dual Polity but Single Citizenship:** States have their own governmental machinery, but citizens hold only Indian citizenship.
- **Unitary Bias:** Several features give the Centre an upper hand:
  - **Emergency Provisions (Articles 352, 356, 360):** Allow the Centre to assume extensive powers during emergencies, effectively transforming the system into a unitary one. Article 356 (President's Rule) has historically been a major point of contention.
  - **Appointment of Governors:** The Governor, appointed by the President, acts as the constitutional head of the state but also as a link between the Centre and the State, often perceived as a central agent.
  - **Parliament's Power to alter State Boundaries:** Article 3 empowers Parliament to form new states, alter areas, boundaries, or names of existing states without the consent of the concerned state.
  - **Integrated Judiciary and All India Services:** These institutions ensure uniformity and central control.
  - **Financial Dependence of States:** States have limited independent revenue sources and largely depend on central transfers.

Major Challenges to Indian Federalism

The challenges confronting India's federal structure are multifaceted and deeply intertwined, stemming from both constitutional design and political practice.

1. Political Centralisation and Erosion of State Autonomy

One of the most persistent criticisms against Indian federalism is the perceived overreach of the Centre and the consequent erosion of state autonomy.

- **Misuse of Article 356 (President's Rule):** Historically, Article 356, which allows the Centre to dismiss state governments and impose President's Rule, has been widely misused for political purposes. Despite landmark Supreme Court judgments (e.g., S.R. Bommai case, 1994) is one of the landmark judgment that curtailed arbitrary use of Article 356,the underlying potential for central intervention remains a concern, particularly in states governed by opposition parties.
- **Role of the Governor:** Appointed by the President, the Governor often acts as an agent of the Centre rather than a neutral constitutional head. Their discretionary powers, especially in recommending President's Rule, reserving state bills for Presidential assent, or inviting parties to form the government, have frequently been challenged as partisan and detrimental to state autonomy and democratic principles.
- **Centrally Sponsored Schemes (CSS) and Central Sector Schemes:** While designed to address national priorities, the proliferation of CSS often dictates state policy, reduces their fiscal flexibility, and sometimes imposes uniform solutions on diverse local contexts. States become implementers of central agendas, diluting their own policy-making space.
- **Dominance of National Parties and One-Party Rule at the Centre:** Periods of strong one-party rule at the Centre, especially when coupled with a weaker opposition at the state level, can tilt the balance heavily towards the Union. Policy decisions, even those impacting state subjects, tend to be driven from the national capital, marginalizing regional concerns.
- **Overlapping Jurisdictions and Concurrent List:** While the Concurrent List aims at cooperative legislation, the Centre's power to legislate on any item in the Concurrent List, and for its law to prevail in case of a conflict, often restricts state legislative initiatives and undermines their functional autonomy. Recent contentious laws like the farm laws (now repealed) or amendments to the National Capital Territory (NCT) Act are prime examples.

2. Fiscal Imbalances and Resource Distribution

Fiscal federalism in India is characterized by significant vertical and horizontal imbalances, leading to states' over-reliance on central transfers and a perpetual debate over fair resource distribution.

- **Vertical Imbalance:** The Union government commands a disproportionately larger share of revenue-raising powers (e.g., corporate tax, income tax, customs, excise duties), while states bear primary responsibility for welfare functions like health, education, and law and order, which are expenditure-intensive. This structural imbalance makes states heavily dependent on central grants and tax devolutions.
- **Horizontal Imbalance:** Significant disparities exist among states in terms of economic development, per capita income, and revenue-generating capacity. Poorer states often demand greater transfers from the Centre and more developed states, leading to tensions. The criteria used by Finance Commissions for devolution are constantly debated.
- **Impact of Goods and Services Tax (GST):** While GST aimed for a unified national market, its implementation has presented new challenges to fiscal federalism. States surrendered their autonomy to levy various indirect taxes for a share of revenue determined by the GST Council (a federal body). Issues such as:

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

- **Compensation Cess:** The guaranteed compensation mechanism for revenue loss to states, initially for 5 years, expired in 2022, leaving states vulnerable to revenue shortfalls.
- **GST Council's Functioning:** While a federal body, the Centre often holds significant sway, and decisions sometimes reflect central priorities rather than collective state consensus.
- **Reduced Fiscal Space:** States have lost significant independent revenue-raising powers, limiting their ability to tailor tax policies to local needs.

- **Conditional Grants and Tied Aid:** The Centre often provides grants tied to specific schemes or objectives, limiting the financial discretion and policy choices of states.
- **State Debt and Borrowing Limits:** While states can borrow, their access to capital markets and borrowing limits are often regulated by the Centre (under Article 293), particularly if they are indebted to the Centre, further restricting their fiscal autonomy.

3. Inter-State Disputes and Regionalism

The diverse nature of India inevitably gives rise to disputes among states, often influenced by regional identities and resource scarcity.

- **Boundary Disputes:** Several inter-state border disputes persist (e.g., Maharashtra-Karnataka, Assam-Nagaland), sometimes result into violent confrontations, challenging national cohesion.
- **River Water Disputes:** The sharing of inter-state river waters (e.g., Cauvery dispute between Karnataka, Tamil Nadu, Kerala, and Pondicherry; Krishna water dispute) remains a major challenge due to increasing water scarcity and competing demands. Despite constitutional provisions and tribunals, these disputes are often protracted and politically charged.
- **Linguistic and Cultural Identity Movements:** Demands for new states based on linguistic or ethnic identity (e.g., Telangana's creation, ongoing demands for Gorkhaland, Vidarbha, etc.) highlight the tension between national integration and strong regional identities. While often legitimate, the process of state reorganization can be politically fraught and resource-intensive.
- **Migration and "Sons of the Soil" Syndrome:** Internal migration for employment and opportunities sometimes leads to conflicts between migrant workers and local populations, fanning nativist sentiments and undermining the spirit of national integration.

4. Administrative Discrepancies and Law & Order

The administrative machinery, particularly in areas like law and order, poses unique federal challenges.

- **All India Services (AIS):** Officers of the IAS, IPS, and IFS are recruited by the Union but serve in state cadres. While envisioned as a unifying force, their dual accountability to both the Centre and the State can create tensions, especially when the Centre and the State are governed by different parties. Allegations of central interference via transfers or disciplinary action against state cadre officers are not uncommon.
- **Law and Order:** A state subject, law and order is crucial for governance. However, the Centre often has powers to deploy central armed police forces in states without prior consent (though usually in consultation). Managing internal security, especially during communal riots or insurgency, requires high levels of Centre-State coordination, which can be hampered by political differences.
- **Disaster Management:** While disaster response is primarily a state responsibility, the Centre plays a critical role in providing financial and logistical support. The COVID-19 pandemic highlighted the need for `Centre-State coordination in public health emergencies, exposing challenges in data sharing, resource allocation, and policy implementation across states.

5. Asymmetric Federalism and Socio-Economic Disparities

India's federalism is not perfectly symmetrical; certain states enjoy special provisions or status, which while necessary for integration, can also be a source of tension.

- **Special Provisions (Article 371 & others):** Articles 370 (now largely abrogated for Jammu & Kashmir) and 371 (A-J) grant special provisions to states like Nagaland, Mizoram, Arunachal Pradesh, Goa, Maharashtra, Gujarat, etc., to protect their unique cultural identity, tribal rights, or address regional disparities. While these are essential for integrating diverse populations, they can sometimes lead to perceptions of differential treatment or demands for similar status from other regions.
- **Developmental Disparities:** The vast economic and social disparities among states pose a significant challenge. Regions with low human development indices, inadequate infrastructure, and high poverty rates demand greater central attention and resources, often leading to political mobilization and accusations of neglect.
- **Regional Imbalances in Representation:** The delimitation of LokSabha constituencies based on population (frozen until 2026) has led to concerns from South Indian states, which have controlled their population growth, that they will be under-represented compared to North Indian states with higher population growth, impacting their voice in national policy-making.

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Discussion and Analysis: The Evolving Dynamics

The challenges outlined above collectively paint a picture of a federal system constantly in flux. The initial 'cooperative federalism' envisioned by the Constitution, where the Centre and States worked in tandem, has often been overshadowed by 'competitive federalism', where states vie for resources and investment, and sometimes 'confrontational federalism', especially when different political parties govern at the Centre and in states. The nature of these challenges suggests that the unitary bias, while initially deemed essential for national unity, has often been exploited for political ends, leading to distrust and resentment among states. The economic liberalization since the 1990s and the rise of powerful regional parties have empowered states, making them more assertive in demanding greater autonomy and a fairer share of resources. However, this assertion is met with a Centre often keen to maintain its pre-eminence, leading to a perennial tug-of-war.

The role of institutions like the Inter-State Council, conceptualized to facilitate Centre-State and inter-state coordination, has often been underutilized, leading to ad-hoc solutions rather than institutionalized dialogue. Similarly, the NITI Aayog (formerly Planning Commission), while transforming into a think tank, has yet to fully realize its potential as a platform for genuine federal dialogue and consensus-building.

The judiciary has played a crucial role in safeguarding federal principles, particularly against the arbitrary use of Article 356. However, constitutional interpretation alone cannot resolve the deep-seated political and fiscal tensions that plague the system.

Recommendations and Path Forward

Addressing these challenges requires a multi-pronged approach that strengthens both the letter and spirit of Indian federalism:

- **Reforming Article 356 and the Governor's Office:** Strict adherence to the recommendations of the Sarkaria Commission and Punchhi Commission on Article 356, and ensuring gubernatorial appointments are non-political and uphold constitutional neutrality, are paramount.
- **Strengthening Fiscal Federalism:**
  - Increasing the share of divisible pool of taxes for states.
  - Revisiting the GST framework to ensure stable and equitable revenue for states, potentially extending the compensation mechanism or finding alternative solutions for revenue shortfalls.
  - Enhancing states' revenue-generating capacity and greater fiscal autonomy in borrowing and expenditure.
  - Ensuring Finance Commission recommendations are fully implemented and their criteria reviewed to address horizontal imbalances more effectively.
- **Empowering Inter-State Council:** Regular and meaningful meetings of the Inter-State Council and its standing committee should be institutionalized to provide a genuine forum for dialogue, dispute resolution, and policy coordination.
- **Promoting Rational Policy-Making:** Reducing the proliferation of narrowly defined Centrally Sponsored Schemes and allowing states greater flexibility in implementing national programs, or shifting to block grants, can enhance state autonomy and accountability.
- **Judicial Vigilance:** The judiciary must continue to play its role as the guardian of the Constitution, ensuring that the federal balance is not undermined by executive overreach.
- **Decentralization beyond States:** Further devolution of powers and resources to local self-governing bodies (Panchayats and Municipalities) would strengthen democracy at the grassroots and make governance more responsive to local needs, indirectly reinforcing federal principles.
- **Foster a Culture of Cooperation:** Political leadership at both levels must prioritize national interest and cooperative spirit over partisan gains, engaging in constructive dialogue to resolve disputes.

Conclusion

India's federal structure, a remarkable constitutional experiment, has been instrumental in preserving unity amidst unparalleled diversity. However, it continues to navigate a complex labyrinth of challenges, from the ingrained unitary bias and political centralization to persistent fiscal inequities and inter-state tensions. These challenges are not mere administrative hurdles; they strike at the heart of democratic governance, resource distribution, and national cohesion.

The future vitality of Indian federalism hinges on the willingness of both the Union and State governments to engage in genuine dialogue, adhere to constitutional proprieties, and prioritize cooperative mechanisms. By addressing the deep-seated issues of fiscal imbalance, reining in the arbitrary use of central powers, strengthening institutional safeguards for state autonomy, and effectively managing inter-state disputes, India can evolve a more balanced, equitable, and resilient federal system. Such a transformation is not merely an academic ideal but an essential prerequisite for India's continued progress, democratic consolidation, and the realization of its vast developmental potential in the 21st century.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Negotiating Belonging: Ashima's Struggle with Culture and Identity in The Namesake

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Manuscript ID:
JRD -2025-170923
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 95-98
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Jhumpa Lahiri's The Namesake (2003) foregrounds the diasporic experiences of Bengali immigrants in America, with Ashima Ganguli as the central figure negotiating between tradition and modernity. As a first-generation migrant, Ashima struggles to preserve her cultural identity while adapting to the realities of an unfamiliar environment. Her trajectory is shaped by moments of both resistance to and acceptance of American practices, reflecting the complex process of cultural negotiation that defines the immigrant condition. This paper situates Ashima's journey within postcolonial and cultural theory. Homi K. Bhabha's notion of hybridity illuminates her ability to exist across cultural boundaries, while Stuart Hall's understanding of identity as fluid helps explain her gradual transformation from isolation to transnational belonging. Avtar Brah's concept of diaspora space clarifies her simultaneous attachment to India and her rootedness in America. Salman Rushdie's insights on the plural and partial nature of identity resonate with Ashima's sense of straddling two cultures. Gayatri Chakravorty Spivak's discussion of the subaltern provides a framework to consider the limitations of Ashima's voice within patriarchal and immigrant structures. By weaving together these perspectives, the paper argues that Ashima's life exemplifies the fragmented yet resilient nature of diasporic identity. Her experiences resist simplistic binaries of assimilation and rejection, instead revealing an ongoing negotiation marked by hybridity, nostalgia, alienation, and belonging. In doing so, Lahiri's narrative captures the lived complexities of displacement and redefines what it means to construct home in diaspora.

Keywords: *Cultural identity, Displacement, Transnationalism, Cultural negotiation*

Introduction

Jhumpa Lahiri's The Namesake, published in 2003 as her debut novel, builds upon the thematic concerns she first introduced in her 1999 short story collection. Throughout her work, Lahiri has sought to illuminate for readers the often-overlooked experiences of Bengali immigrants as they navigate life within an unfamiliar American setting. In order to endure in a foreign land, her characters frequently adopt selected features of the surrounding culture while simultaneously resisting others. This selective adaptation allows them not only to enter into the social fabric of their new environment but also to safeguard aspects of their own heritage that might otherwise fade. The process is highly individual: each figure chooses which parts of the host culture to embrace based on personal circumstances and character. At the same time, this act of adoption almost always involves a conscious rejection of other elements of American society.

To ground the discussion, I draw on established definitions of culture. Culture, according to the Oxford Advanced Learner's Dictionary, is, "the customs and beliefs, art, way of life and social organization of a particular country or group" (306). E. B. Taylor similarly writes that culture is, "…that complex whole which includes knowledge, belief, art morals, law, custom, and any other capabilities and habits acquired by man and a member of society" (1). For analytical clarity this study distinguishes between minority and dominant cultures. The minority culture refers to the traditions and assumptions with which immigrant groups are raised and which form part of their psychological makeup.

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How to cite this article:
Rathod, S. V. (2025). Negotiating Belonging: Ashima's Struggle with Culture and Identity in The Namesake. Journal of Research & Development, 17(9(V)), 95–98. https://doi.org/10.5281/zenodo.17678728

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678728
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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The dominant culture is the foreign social order to which immigrants must adapt. This paper examines Ashima in The Namesake, tracing the cultural practices she rejects and those she adopts from the dominant culture as strategies for surviving life in America.

It is helpful to place Ashima's choices within contemporary diaspora theory. Homi K. Bhabha's formulation is instructive: "Hybridity is the sign of the productivity of colonial power, its shifting forces and fixities." (112). Bhabha's idea makes visible how Ashima's identity is formed in the friction of two cultural forces rather than in a single, pure tradition. Stuart Hall likewise reminds us that identity is dynamic: "Cultural identity is not a fixed essence at all, lying unchanged outside history and culture. It is not some universal and transcendental spirit inside us all. It is not once-and-for-all. Rather, identities are the names we give to the different ways we are positioned by, and position ourselves within, the narratives of the past." (225). Avtar Brah adds that, "Diaspora space is the point at which boundaries of inclusion and exclusion, of belonging and otherness, of 'us' and 'them', are contested." (181). Salman Rushdie captures the duality succinctly: "Our identity is at once plural and partial. Sometimes we feel that we straddle two cultures; at other times, that we fall between two stools." (15). Finally, Gayatri Chakravorty Spivak's caution that "The subaltern cannot speak… Representation has not withered away." (104) alerts us to how Ashima's marginal position constrains her voice. These theoretical perspectives help explain why Ashima both resists and adapts to the dominant culture.

Ashima is one of the principal figures in The Namesake. The novel's action unfolds mostly in America. Her pattern of rejecting and accepting American cultural norms is revealing. Raised in Calcutta, she marries Ashoke and accompanies him to Cambridge where he pursues higher studies; later they have two children, Gogol and Sonia. Long after settling in the United States Ashima experiences persistent homesickness and demonstrates a strong allegiance to Bengali ways together with marked resistance to many American practices. Her early responses are shaped by quotidian refusals that maintain cultural continuity. Two weeks before Gogol's birth she mixes a makeshift snack from ingredients on hand and longs for mustard oil: it is mentioned, "Ashima has been consuming this concoction throughout her pregnancy, a humble approximation of the snack sold for pennies on Calcutta sidewalks and on railway platforms throughout India, spilling from newspaper cones" (01). The choice of this food functions as an act of remembrance: through taste she reconstructs the world she left behind. At the hospital she recoils from the cold baked chicken served at mealtimes because, unlike Bengali practice, it has skin — in her experience the skin should have been removed before cooking. To fill lonely hours she rereads the same five Bengali novels she carried from Calcutta. Manju Kapoor's portrait of a transplanted protagonist echoes Ashima's impulse to root herself: "It has been a month, and she was keen to set down roots that would make her feel more at home. In India these relatives had seemed peripheral, more tourist than family. Now her perception has changed. She wanted to be close to them" (132).

Intimacy and naming expose further differences. Ashima avoids calling her husband by his formal name, relying instead on an interrogative that effectively replaces it — a Bengali pattern of reserved address: "Like a kiss or caress in a Hindi movie, a husband's name is something intimate and therefore unspoken, cleverly patched over" (02). When hospital staff insist she remove her sari and wear a cotton gown she feels embarrassed because the gown ends at the knees and appears immodest, an immediate rejection of American dress conventions. Lying under the curtain she overhears an American man tell his wife, "I love you, sweetheart" — the narrator remarks that such words are those which, "…Ashima has neither heard nor expects to hear from her own husband…" (03). The contrast between American public declarations and Ashima's private Bengali expectations produces a cultural dissonance. She reflects on birthing customs too: "In India women go home to their parents to give birth, away from husbands and in-laws and household cares, retreating briefly to childhood when the baby arrives" (04). Despite repeated medical reassurance, for the first eighteen months in Cambridge "nothing has felt normal" to her; she fears to, "raise a child in a country where she is related to no one, where she knows so little, where life seems so tentative and spare" (06).

The naming episode in the hospital crystallizes this clash. In India naming is often a measured, communal affair: "In India parents take their time. It wasn't unusual for years to pass before the right name, the best possible name, was determined. Ashima and Ashoke can both cite examples of cousins who were not officially named until they were registered, at six or seven in school" (25). Ashima waits for the grandmother's letter containing the proper name; when the registrar demands an immediate name to discharge the child, she is distraught. Ashoke ultimately chooses 'Gogol,' but the episode signals the immigrant's encounter with American bureaucratic time and the pressure of individual responsibility.

Domestic labor and everyday routines provide repeated reminders of difference. Ashima resents that there is, "…no one to sweep the floor, or do the dishes, or wash clothes, or shop for groceries, or prepare a meal on the days she is tired or homesick or cross. She has accepted that the very lack of such amenities is the American way" (32). The everyday availability of help in Calcutta contrasts painfully with American self-sufficiency. When neighbors offer brown rice and she throws it away, the white long-grain rice she prefers becomes a symbol of the minority culture she wants to preserve. A short trip to buy the rice with baby Gogol in a pram, receiving strangers' friendly attention, encourages her to venture out more frequently and erects a small bridge toward public life.

Her ear remains tuned for letters from home: "Ashima keeps her ears trained, between the hours of twelve and two, for the sound of the postman's footsteps on the porch, followed by the soft click of the mail slot in the door" (36). The grandmother occupies a pivotal emotional role: she had once been the lone relative to predict Ashima would not

Journal of Research and Development
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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

change, and she becomes the symbol of Ashima's faithful attachment to Bengali ways. As Bengali families gather in America — singing, debating politics, sharing films — they attempt to fill the cultural vacuum M. G. Kadam describes: "The restlessness of Bengalis in America where they cannot vote is revealed through their discussions about Bengali arts, music, drama, literature and politics. They experience the spatial, cultural and emotional vacuum in their efforts to settle and adjust in an adopted new land during these days of globalisation." Even ritual practice can feel imperfect in exile: "Ashima regrets that the plate on which the rice is heaped is melamine, not silver or brass or at the very least stainless-steel" (39).

A small, practical incident — the recovery of forgotten shopping bags through the MBTA lost-and-found — becomes a turning point. "Somehow, this small miracle causes Ashima to feel connected to Cambridge in a way she has not previously thought possible, affiliated with its exceptions as well as its rules. She has a story to tell at dinner parties" (43). Still, her sense of foreignness persists. Lahiri observes that, though no longer pregnant, Ashima continues a habitual mixing of Rice Krispies and peanuts and onions: "For being a foreigner, Ashima is beginning to realize, is a sort of lifelong pregnancy – a perpetual wait, a constant burden, a continuous feeling out of sorts. It is an ongoing responsibility, a parenthesis in what had once been ordinary life, only to discover that the previous life has vanished, replaced by something more complicated and demanding. Like pregnancy, being a foreigner, Ashima believes, is something that elicits the same curiosity from strangers, the same combination of pity and respect" (50).

Her attempts to transmit cultural memory are persistent. She teaches Gogol Bengali poems and table manners: "…to eat on his own with his fingers, not to let the food stain the skin of his palm. He has learned to suck marrow from lamb, to extract the bones from fish" (55). She notices that, "…the Gangulis, apart from the name on their mailbox, apart from the issues of India Abroad and Sangbad Bichitra that are delivered there, appear no different from their neighbors" (64), revealing how external assimilation can mask inner difference. Her horror at a school field trip to a graveyard elicits an outraged response:

What type of field trip was this? It was enough that they applied lipstick to the corpses and buried them in silk-lined boxes. Only in America (a phrase she has begun to resort to often these days), only in America are children taken to cemeteries in the name of art. What's next, she demands to know, a trip to the morgue? In Calcutta the burning ghats are the most forbidden of places, she tells Gogol… (70).

Commentators have noticed how some immigrants cling fiercely to older ways. As one reviewer writes, "The first wave of settlers has arrived for long; some have switched to the new culture aggressively even as some stick to the old far-off land. Then there are some who are straddling across two boats. Food, clothes and customs rendered unpalatable by the Indian ethos pose major stumbling blocks to smooth transition for some. Unable to cope, they fiercely cling to the earlier ways of life, almost as if mourning. The problem takes an acute turn when they succumb to the basic biological urge of perpetuating their existence through their children." (Pandey). Gogol's perception at Maxine's reinforces the gap: "His own mother would never have served so few dishes to a guest. She would have kept her eyes trained on Maxine's plate, insisting she have seconds and then thirds. The table would have been lined with a row of serving bowls so that people could help themselves" (133). The refusal to accept Maxine as a daughter-in-law — "Though she'd been polite enough, the one time Gogol had brought Maxine to the house, Ashima doesn't want her for a daughter-in-law" (166) — becomes a symbol of this cultural distance.

Yet across the arc of her life, Ashima also accepts selected elements of American life while retaining her core Bengali identity. Small concessions — forcing herself to eat a slice of toast, turning on 'Sesame Street' and 'The Electric Company' so Gogol learns English — register gradual accommodation. As Stuart Hall reminds us, identity is not static: it is continually repositioned (225). Ashima recognizes that her children's futures will be shaped in America: "…it was for him, for Sonia, that his parents had gone to the trouble of learning these customs" (286). After Ashoke's death she decides to split her time between India and the U.S., a concrete expression of transnational belonging:

For the first time since her flight to meet her husband in Cambridge, in the winter of 1967, she will make the journey entirely on her own. The prospect no longer terrifies her. She has learned to do things on her own, and though she still wears saris, still puts her long hair in a bun, she is not the same Ashima who had once lived in Calcutta. She will return to India with an American passport. In her wallet will remain her Massachusetts driver's license, her social security card (276).

She even accepts some American familial patterns — feeling relief rather than scandal when Gogol and Moushumi separate — while grieving the house and life she shared with Ashoke: "She will miss the country in which she had grown to know and love her husband. Though his ashes have been scattered into the Ganges, it is here, in this house and in this town, that he will continue to dwell in her mind" (279). Her attachment to Pemberton Road is ambiguous: not entirely home in the Bengali sense, yet emotionally significant and connected to the American life she has lived.

In brief, Ashima's initial fidelity to minority culture reflects motives and pressures: she came to the U.S. to support her husband's studies and raise a family, her relatives cautioned her against adopting American ways, and her grandmother's confidence in her constancy encouraged loyalty to Bengali practice. Her later shift toward partial acceptance stems from Gogol's and Sonia's needs, small interactions that linked her to Cambridge (the returned bags),

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

the necessity of furnishing and running an American household, colleagues and friends who modeled local norms, Ashoke's prior adaptations, and finally widowhood which required greater self-reliance.

Crucially, the American elements Ashima accepts do not erase her Bengali identity. Rather, she embraces only those host-culture features that enable her to maintain Bengali life in diaspora or give her independence after her husband's death. In this way Ashima exemplifies the hybridity Bhabha names, inhabits the contested diaspora space Brah describes, and confirms Hall's observation that cultural identity is an ongoing process rather than a fixed essence. At the same time, Spivak's reminder about the limits of representation underscores how structural silences shape what Ashima can express and how she forms belonging.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Awareness in Educational and Constitutional Democracy

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Manuscript ID:
JRD -2025-170924
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 99-102
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

This paper explores the critical role of awareness in sustaining and strengthening both educational and constitutional democracies, especially within the rapidly evolving digital landscape. It defines awareness not merely as access to information, but as the capacity for critical understanding, engagement, and informed action. In educational democracy, awareness empowers learners to actively participate in their learning journey and develop into lifelong, critical thinkers. In constitutional democracy, it serves as the bedrock for an engaged citizenry capable of upholding rights, fulfilling responsibilities, and holding institutions accountable. The advent of the digital age presents both unprecedented opportunities for fostering awareness through vast information access and significant challenges posed by misinformation, echo chambers, and the digital divide. This paper argues that fostering robust awareness requires a concerted effort in promoting digital literacy, critical thinking, and civic education across all societal levels, ensuring an informed and resilient democratic future.

Keywords: *Judicial Catalysts, awareness, education, vigilant defenders, Substituted Article, marginalized communities, explicit, Expert, Democracy, challenges, civic, institutions, Enjoined, exorbitant.*

Introduction

In an increasingly complex and interconnected world, the health and vibrancy of democratic systems – whether in our schools or our nations – depend fundamentally on the awareness of their participants. Awareness, in this context, transcends mere knowledge; it embodies a deep understanding, critical discernment, and the capacity to act thoughtfully based on informed perspectives Without such awareness, educational institutions risk becoming passive learning environments, and constitutional democracies risk succumbing to apathy, manipulation, or authoritarianism

This paper delves into the multifaceted concept of awareness within two critical domains: educational democracy and constitutional democracy. It explores how awareness empowers individuals within each, transforming them from passive recipients into active, engaged agents. Furthermore, it critically examines the profound impact of the digital age on cultivating this essential awareness, identifying both its revolutionary potential and its significant pitfalls. Ultimately, it argues that actively fostering comprehensive awareness through education and deliberate policy is not merely beneficial, but vital for the survival and flourishing of democratic ideals in the 21st century.

Objectives of the Paper

- To analyze the significance of awareness in constitutional democracy
- To examine the role of education in fostering constitutional values and civic responsibility.
- To identify challenges in promoting awareness in a diverse democratic society.
- To propose recommendations for enhancing awareness in educational and constitutional democracy.
- To explore the principles and practices of "educational democracy" and its role in cultivating informed citizens.

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How to cite this article:
Sabale, T. V., & Khilari, A. M. (2025). Awareness in Educational and Constitutional Democracy. Journal of Research & Development, 17(9(V)), 99–102. https://doi.org/10.5281/zenodo.17746510

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17746510
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Conceptual Framework of Awareness in Democracy

Awareness in democracy refers to the informed understanding of constitutional values, legal rights, duties, and civic responsibilities. Constitutional democracy, unlike mere procedural democracy, emphasizes substantive values such as liberty, equality, fraternity, and justice. Educational institutions serve as primary agents for spreading awareness, enabling individuals to engage in rational discourse, resist arbitrary power, and hold governments accountable. Without awareness, democracy risks degenerating into a formal system lacking substance.

Role of Education in Constitutional Democracy

Education has been universally recognized as a fundamental right and a cornerstone of democracy. Article 21A of the Indian Constitution mandates free and compulsory education, while Article 51A emphasizes the duty of every citizen to develop scientific temper, humanism, and the spirit of inquiry. The role of education in constitutional democracy can be understood as:

- Creating an informed citizenry capable of rational decision-making.
- Promoting constitutional values such as equality, liberty, secularism, and fraternity.
- Developing civic responsibility by emphasizing duties alongside rights
- Preventing authoritarianism by enabling citizens to question power.
- Ensuring inclusivity by empowering marginalized communities to participate effectively in democratic processes.

Right to Education in India: From Directive Principle to Fundamental Right — A Comparative Study and the Circumstances That Shaped It

The Right to Education in India has travelled a distinctive constitutional path—from an aspirational Directive Principle of State Policy to an enforceable Fundamental Right. This paper compares the RTE's status under DPSPs with its present footing as a constitutional right under Article 21A, and maps the social, economic, policy, and judicial circumstances that compelled this transition across India.

I. DPSP Foundations of the Right to Education (Pre-2002)

1) Article 45 Directed the State to provide free and compulsory education for all children up to the age of 14 within ten years of the Constitution's commencement. It was non-justiciable, reflecting the founders' intent that the goal is fundamental to governance but contingent on resources.
2) Article 41: Enjoined the State to make effective provision for securing the right to education, within the limits of its economic capacity and development.
   Article 39(e) & (f): Required protection of children against exploitation and moral/ material abandonment implying that schooling and care are instrumental to child welfare.
3) In this DPSP phase, education was a constitutional priority but not a directly enforceable right. Progress depended on political will, finances, and administrative capacity rather than judicially enforceable claims by citizens.

II. Judicial Expansion Towards a Fundamental Right

The Supreme Court read education into the guarantee of life and personal liberty under Article 21, converting a non-justiciable aspiration into an enforceable entitlement

The paper also analyses landmark judgments such as Mohini Jain v. State of Karnataka (1992) Held that the right to education flows from Article 21; exorbitant capitation fees that restrict access violate equality and dignity.

Unnikrishnan J.P. v. State of Andhra Pradesh (1993) Calibrated Mohini Jain and affirmed free and compulsory education for children up to the age of 14 as a fundamental right; beyond 14, the State's obligation is subject to its economic capacity. This doctrinal move laid the foundation for a textual amendment.

III. The 86th Constitutional Amendment (2002) and Its Architecture

The 86th Amendment did not merely insert a single provision; rather, it strategically modified three different parts of the Constitution, thereby creating a robust, multi-dimensional framework for the Right to Education. Its architecture comprises

Inserted Article 21A 'The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.

Substituted Article 45 To focus on early childhood care and education for children below six years.

Added Article 51A(k): A fundamental duty on parents/guardians to provide opportunities for education to their children aged six to fourteen.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

IV. Right of Children to Free and Compulsory Education Act, 2009

Section 3 States that every child of the age of 6 to 14 years shall have a right to free and compulsory elementary education in a neighbourhood school till completion.

"Free education" means that no child shall be liable to pay any kind of fee, charge, or expenses that may prevent him or her from pursuing and completing elementary education.

"Compulsory education" casts an obligation on the appropriate Government and local authorities to ensure admission, attendance, and completion of elementary education by all children in the 6-14 age group.

V. Circumstances Across India That Drove the Transition

1) Persistent Literacy Gaps and Inequality: Large inter-state, rural-urban, caste, gender, and income disparities in school access and completion created pressure for a rights-based approach. Out-of-school children, child labour, and early marriage disproportionately affected marginalized communities.
2) Policy Milestones and Expert Commissions: The Kothari Commission (1964-66) proposed a common school system and 6% GDP public spending on education; the National Policies on Education (1968, 1986, 1992 Programme of Action) stressed universal elementary education; later committees reinforced equity and quality as constitutional commitments.
3) Flagship Programmes: District Primary Education Programme (DPEP, 1994) and Sarva Shiksha Abhiyan (SSA, 2001) expanded access, but their limits highlighted the need for enforceable rights to ensure uniform minimum standards across states.
4) Judicial Catalysts and Public Interest Litigation: Mohini Jain (1992) and Unnikrishnan (1993) reframed education as a right; subsequent directions such as compulsory environmental education and school safety norms emphasized that access must be accompanied by meaningful quality.
5) Nutrition and Mid-Day Meals: Writ petitions (e.g., PUCL) led to universalisation of cooked mid-day meals in primary schools, recognising nutrition as integral to attendance, retention, and dignity.
6) International Commitments: India's engagement with UDHR (Art. 26), ICESCR (Art. 13), the Convention on the Rights of the Child (CRC), and the Dakar 'Education for All' framework, and later the MDGs/SDGs, created normative momentum for making education a fundamental right.
7) Federal Learning and Civil Society Mobilisation: Variations in state performance (Kerala, Tamil Nadu, Himachal Pradesh, etc.) demonstrated the feasibility of universal elementary education when backed by strong public systems; civil society and community-based organisations mobilized around enrolment drives, neighbourhood schools, and girls' education.
8) Economic Transformation: A knowledge-based economy demanded foundational literacy and numeracy; households increasingly viewed education as essential for social mobility, pushing the State toward rights-based guarantees.

VI. Post-RTE Jurisprudence Shaping the Right

Society for Unaided Private Schools v. Union of India (2012) Upheld the 25% admission requirement in private unaided schools, linking social inclusion with the constitutional promise of equal opportunity.

Pramati Educational & Cultural Trust v. Union of India (2014) Clarified that the RTE Act does not apply to minority institutions under Article 30(1).

AvinashMehrotra v. Union of India (2009) Read school safety into Articles 21/21A; RTE must be safe and dignified.

M.C. Mehta v. Union of India (2003) Directed compulsory environmental education, advancing the qualitative dimension of RTE.

VII. Impact and Continuing Challenges

Impact: Enrolments and school density improved; explicit standards on infrastructure and teacher qualifications created a baseline for quality; social inclusion expanded through the 25% provision.

Continuing challenges: Learning outcomes remain uneven; teacher vacancies and training gaps persist; compliance with norms varies across states; digital divides and pandemic-era disruptions widened inequality; early childhood care requires tighter integration with primary schooling.

Challenges in Promoting Awareness

Despite constitutional mandates, several challenges hinder awareness in educational and constitutional democracy

- Inequality in access to quality education, particularly in rural and marginalized communities.
- Lack of curriculum emphasis on civic education and constitutional literacy.
- Political interference in educational content, which can distort democratic values.
- Digital divide and limited access to information for large sections of society.
- Declining public trust in institutions, which hampers civic engagement.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Comparative Perspectives

Globally, democratic nations have recognized education as the foundation of civic awareness. In the United States, civic education is an integral part of school curricula, emphasizing the Constitution and democratic practices. Scandinavian countries, with their focus on participatory learning, have succeeded in creating highly aware citizenries. India, with its vast diversity, faces unique challenges in implementing uniform civic education but has made progress through initiatives like the Right to Education Act, 2009. Comparative analysis shows that strong democracies invest significantly in civic education to maintain constitutional awareness.

Role of Judiciary and Civil Society in Promoting Awareness

The judiciary, through landmark judgments, has consistently reinforced the value of education in sustaining democracy. Cases such as Mohini Jain v. State of Karnataka and Unnikrishnan v. State of Andhra Pradesh recognized education as a fundamental right. Civil society organizations, NGOs, and media also play a pivotal role in spreading awareness by conducting campaigns, disseminating information, and mobilizing public opinion. Together, these institutions ensure that awareness remains central to democratic governance.

Recommendations

- Integrate constitutional literacy and civic education into school and college curricula
- Strengthen legal awareness campaigns at grassroots levels through collaboration between government and civil society
- Encourage experiential learning methods, such as mock parliaments and debates, to enhance democratic participation.
- Address inequalities in access to education by prioritizing marginalized and rural communities
- Leverage digital platforms to expand constitutional and civic awareness.

Conclusion

Awareness, in its comprehensive cognitive, affective, behavioral, and meta-dimensional forms, stands as the bedrock upon which both educational democracy and constitutional democracy are built and sustained. It is the active, discerning, and empathetic engagement of citizens that breathes life into democratic principles, holds power accountable, and safeguards fundamental rights.

The threats to awareness in the contemporary world are profound, ranging from the insidious spread of misinformation to the corrosive effects of political polarization and civic apathy. Yet, the imperative remains clear: to fortify our democracies, we must redouble our efforts to cultivate an aware citizenry. This requires a renewed commitment to democratic education, integrating critical thinking, media literacy, and ethical considerations across all levels of learning. It demands investment in robust public discourse and institutions that foster trust and provide reliable information.

Ultimately, the future of both educational and constitutional democracy hinges on our collective capacity to foster, protect, and continually re-evaluate the nature of awareness. It is through this perpetual process of learning, questioning, and engaging that societies can hope to navigate complexity, uphold justice, and ensure that the promise of democracy continues to guide future generations.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

The study about self-confidence of 10th standard Girls and Boys

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Manuscript ID:
JRD -2025-170925
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 103-105
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

A self-confident person trusts their capacity to face challenges, make decisions, and accomplish goals, whereas a lack of self-confidence often leads to hesitation, self-doubt, and avoidance of opportunities. In today's fast-paced and competitive environment, self-confidence is regarded as a key factor for academic success, professional achievement, social adjustment, and overall psychological well-being. The present research was conducted to study the level of self-confidence among boys and girls of the 10th standard. For this purpose, a purposive sample of 30 boys and 30 girls from Janatara High School, Jaysingpur, was selected. The Self-Confidence Test developed by Dr. Rekha Gupta was administered to them. The data obtained was analyzed using the 't' test. The mean, standard deviation, and 't' value were calculated for both groups—boys and girls. The calculated 't' value was found to be 5.34, which is significant at the 0.01 level. This indicates that there is a significant difference in the self-confidence levels of boys and girls in the 10th standard.

Keywords: *Self-confidence and Gender.*

Introduction:

Self-confidence is one of the most essential personal attributes that influence an individual's thoughts, emotions, and behaviors. It can be defined as the belief in one's own abilities, qualities, and judgment. A self-confident person trusts their capacity to face challenges, make decisions, and accomplish goals, whereas a lack of self-confidence often leads to hesitation, self-doubt, and avoidance of opportunities. In today's fast-paced and competitive environment, self-confidence is regarded as a key factor for academic success, professional achievement, social adjustment, and overall psychological well-being. The development of self-confidence is shaped by various factors such as early childhood experiences, family environment, social interactions, and personal achievements. Supportive parenting, constructive feedback from teachers, and encouragement from peers play a vital role in fostering a sense of competence in children and adolescents. On the other hand, excessive criticism, neglect, or repeated failures can undermine confidence and create patterns of self-doubt. As individuals grow, their self-confidence continues to evolve through learning experiences, successes, and the ability to cope with failures.

It is important to distinguish self-confidence from overconfidence and arrogance. While self-confidence is based on a realistic appraisal of one's abilities, overconfidence often results from an inflated self-image, which may lead to risky decisions and disappointments. True self-confidence is balanced and grounded in self-awareness. It allows individuals to acknowledge their strengths as well as their limitations and motivates them to work towards self-improvement. Research consistently shows that people with higher levels of self-confidence tend to demonstrate better problem-solving skills, resilience, and adaptability in challenging situations. It may also limit an individual's ability to form healthy relationships and achieve personal fulfillment. In the context of education, self-confidence plays a crucial role in shaping students' learning experiences and academic outcomes.

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How to cite this article:
Patil, V. P., & Jogadand, A. (2025). The study about self-confidence of 10thstandardGirls and Boys. Journal of Research & Development, 17(9(V)), 103–105. https://doi.org/10.5281/zenodo.17678800

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678800
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Confident learners are more active in class participation, open to feedback, and motivated to engage in problem-solving activities. Similarly, in professional settings, self-confidence enhances leadership qualities, decision-making ability, and effective communication. Beyond personal success, it contributes to overall life satisfaction and mental well-being by promoting optimism, motivation, and resilience.

In conclusion, self-confidence is a vital psychological trait that empowers individuals to face life's challenges with determination and positivity. It is not an inborn quality but a skill that can be nurtured through self-awareness, practice, and supportive environments. Strengthening self-confidence is therefore essential for achieving personal growth, building meaningful relationships, and leading a balanced and psychologically, self-confidence is closely linked to self-esteem, self-efficacy, and emotional resilience. Individuals with high self-confidence tend to have a strong sense of self-worth and are more resilient in the face of failure. They are also better equipped to handle criticism, build healthy relationships, and make independent decisions. Conversely, low self-confidence can lead to anxiety, fear of failure, social withdrawal, and underperformance in various areas of life. Fulfilling life.

Review of Literature:

1. ArchanaHajong and Dr. V. Ambedkar (2025) at Annamalai University conducted a study after the implementation of NEP 2020. They found that the constructivist teaching approach significantly improved secondary school students' communication skills and self-confidence compared to traditional teaching methods. (researchgate.net)
2. A 2024 study reported that participation in multiple co-curricular activities enhanced students' self-esteem, while excessive use of social media had a negative impact on it. (medcraveonline.com)
3. A study from Bareilly (2023) on Class IX students revealed that gender, rural/urban location, and academic achievement significantly influenced self-confidence levels. However, the medium of instruction (English/Hindi) had no effect. (allstudiesjournal.com)
4. In Ukhrul, Manipur (2024), a study on higher secondary school students (XI–XII) found that overall self-confidence was at a moderate level. Significant differences in self-confidence were observed based on gender and stream of study (arts vs science). (researchgate.net)

Objective:

1. To study the difference between boy and girls about Self- Confidence.

Hypotheses:-

1. The level of self-confidence among the girls is significantly higher than boys.

Methodology:

Sample:

A sample of 80 students were studied from 10th stander was randomly selected from Jaysingpur district in Kolhapur. In terms of gender, it consists Ted of 40boys and 40 girls. In the age group 12 to 17 years.

Tools:

One toolhas been used for the data collection. These are:

1. **Self Confidence Inventory (SCI):-**
   The scale was developed by Dr. Rekha Gupta to measure the self-confidence of school students. It is consisted 56 items and 3 response category.

Variables:

1. Independent Variables : Gender – Boys and Girls
2. Dependent Variables : Self - Confidence

Procedure:

The test was administrated to all respondents in classroom setting. After administration of test, answer sheet were scored and raw scores calculates. Mean values, SD and Average score were calculated. 't' score done to see if difference exist between the mean score of boys and girls and to find out if guidance need is independent of gender.

Table No.1 Self-Confidence

Group	Sample	Mean	SD	df	T value	Significance
Boys	40	22.7	6.24	78	5.34**	0.05
Girls	40	17.82	7.93			

Table 1 shows that shows the difference between boy and girls about Self-Confidence. It shows that the Mean self- Confidence score of boys is 22.7 and girls are 17.82, SD is 6.24 for boys and 7.93 for girls. At df = 78the't' value of 5.34 is significant at 0.05 level. There is significant difference between boys and girls about Self-Confidence.

Conclusion:

1. There is significant difference found between the boys and girls about Self- Confidence.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Limitations:

1. The study was limited to the result achieved with the help of Rekha Gupta's Self Confidence test.
2. The study was limited to the self-confidence of 10th standard students.
3. This study was limited area in Jaysingpur city.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Language as a Divisive Factor in Indian Federalism Critical Analysis

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Manuscript ID:
JRD -2025-170926
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 106-109
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

India is marked by extraordinary linguistic diversity, where languages change every few hundred kilometers and dialects shift even more rapidly. Language has long been a double-edged sword in India's federal experience: it represents the richness of cultural heritage, while simultaneously creating political and constitutional challenges. Since independence, linguistic politics have influenced the drawing of state boundaries, driven mass movements, and created tensions between the Union and states. This paper critically examines how language has acted as a divisive factor in Indian federalism. It analyses the colonial legacy, debates in the Constituent Assembly, constitutional provisions, and judicial approaches. It further considers regional movements in South India, Bengal, Maharashtra, Punjab, Odisha, Gujarat, and the North-East. Comparative insights from other multilingual federations such as Canada, Belgium, and Switzerland are included. The paper argues that while language remains a source of contestation, the accommodation of linguistic pluralism continues to be the bedrock of Indian democracy.

Keywords: *language politics, Indian federalism, constitutional provisions, linguistic diversity, regional movements, multilingualism, identity, judicial interpretation, cultural pluralism, national integration.*

Introduction

India is unparalleled in terms of linguistic diversity. According to the Census of India (2011), the country is home to 19,500 mother tongues, of which 121 are spoken by over 10,000 people. The Eighth Schedule of the Constitution presently recognizes 22 languages, while hundreds of others flourish in oral and regional traditions. India thus represents a unique model of a multilingual federation, very different from states such as France or China, which centralized linguistic authority around one dominant language. In India, language acts as a major divisive element, especially when viewed from the perspective of constitutional law. The nation hosts a variety of languages, each linked to unique cultural identities and local connections. Such linguistic variety may result in social division and disputes, particularly regarding governance, education, and political representation. The Indian Constitution acknowledges language as a divisive element by recognizing various languages and working towards inclusivity while also fostering national unity. Yet, reconciling these interests is an intricate challenge that persistently develops within India's varied socio-political environment. The current discussions about language policy emphasize the importance of thoughtfully addressing both regional identities and national unity in determining India's future. However, this diversity also brings structural challenges. From the anti-Hindi agitations in Tamil Nadu, to the Gorkhaland movement in West Bengal, from the Punjabi Suba agitation to the assertion of tribal languages in the North-East, India's federalism has been repeatedly tested by linguistic demands. Language is not merely a medium of communication—it is deeply tied to culture, history, and dignity. The following sections trace how language functions as a divisive factor in Indian federalism.

1 Colonial Legacy and the Politics of Language

The British left behind a contested linguistic landscape.

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How to cite this article:
Sawant, C. S., & Zende, A. M. (2025). Language as a Divisive Factor in Indian Federalism Critical Analysis. Journal of Research & Development, 17(9(V)), 106–109. https://doi.org/10.5281/zenodo.17678883

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678883
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

With Macaulay's Minute on Education (1835), English became the language of governance, education, and law. This created a sharp divide between the English-educated elite and the vernacular-speaking masses. Simultaneously, the colonial census classified populations by language, hardening linguistic boundaries and identities (King, 1997). Colonial policies also sowed early seeds of linguistic nationalism. For example, the Partition of Bengal (1905) ignored linguistic-cultural unity, leading to mass protests and eventual reversal in 1911. Similarly, the colonial state elevated Urdu in North India, antagonizing Hindi-speaking populations and laying the ground for post-colonial contestations. There is official acknowledgment of the significance of Mother Tongue (MT) education in India Constitution and the national and state educational policies established subsequently. Article 350Aof the Constitution asserts that the "state shall strive to offer sufficient facilities forteaching in the native language during the initial phase of schooling to kids belonging to 'Groups in the minority' (Constitution of India, 2008). The Three-Language Formula (TLF) established in 1957 suggested employing a first language/regional language, Hindi, and/or English across various levels of schooling. The TLF received support in the National education policy of 1968 and 1986 and has stressed that the Primary Language (PL) for teaching in elementary grades ought to be in the Mother language of the child, and instructed the states to guarantee in government schools (Mohanty, 2008). The recent National Education Policy (NEP)-2020 of India expands the definition of Medium of Instruction (MOI) should incorporate local and regional languages at least until grade 5. Ideally up to the eighth grade (Ministry of Human Resource Development, 2020)

Language Legal perspective

1. Language in the Constituent Assembly

The Constituent Assembly debates (1946–1949) reveal how deeply divisive the question of language was:

a. Pro-Hindi members argued for Hindi as the sole national language.
b. South Indian representatives, such as T.T. Krishnamacharya, warned that Hindi imposition would relegate non-Hindi speakers to "second-class citizens."
c. Dr. B. R. Ambedkar proposed a compromise: Hindi as the official language of the Union, English to continue for 15 years as an associate language, and states free to adopt their own languages.
   This compromise shaped Articles 343 to 351 of the Constitution, which provide for Hindi as the official language, continued use of English, recognition of Scheduled Languages, and promotion of linguistic diversity.

2 Indian Federal structure and language

The federal structure of India is a distinctive model, designed to accommodate its vast diversity while ensuring political unity. The Constitution does not use the term "federal," but Articles 1 to 4 establish India as a "Union of States," making the Union indestructible though states can be reorganized by Parliament. The distribution of powers under the Seventh Schedule—divided into Union, State, and Concurrent Lists—illustrates the framework of shared authority, while Article 246 defines the scope of legislation. Institutions like the Inter-State Council (Article 263) and special provisions for certain states under Articles 371 to 371J further reinforce federal features. At the same time, the strong role of the Union, reflected in residuary powers (Article 248) and emergency provisions (Articles 352–356), demonstrates a central bias that keeps the federation cohesive. Within this constitutional arrangement, language has historically emerged as a decisive factor influencing state boundaries, political identity, and inter-state relations. The linguistic reorganization of states in 1956, based on the recommendations of the States Reorganisation Commission, gave language a constitutional and political recognition that directly shaped the federal map of India. While this move strengthened democratic participation by allowing people to identify with their states in linguistic terms, it also entrenched language as a potential source of division. Demands for new states, protection of minority languages, and inclusion of additional languages in the Eighth Schedule continue to create political frictions within the federal framework. It is therefore evident that language, though not the only divisive element in Indian federalism, remains one of the most prominent. Alongside factors such as caste, region, and religion, language carries a distinctive constitutional and cultural weight, making it both a unifying symbol of identity and a persistent challenge for maintaining cooperative federalism.

1 Judicial Perspectives

The Supreme Court of India has played a balancing role in safeguarding linguistic rights while preserving federal integrity:

a. State of Bombay v. Bombay Education Society (1954) – upheld minorities' right to education in their mother tongue under Article 30.
b. K.C. Vasanth Kumar v. State of Karnataka (1985) – recognized the significance of linguistic identity in defining backwardness.
c. Naga People's Movement v. Union of India (1997) – indirectly affirmed the special cultural-linguistic protections under Article 371A for Nagaland.
d. T.M.A. Pai Foundation v. State of Karnataka (2002) – reiterated linguistic minorities' autonomy in educational institutions.
   These cases reflect judicial awareness that linguistic rights are central to federal balance and cultural identity.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Regional Movements and Linguistic Federalism

1 South India and Anti-Hindi Resistance

- **Andhra Pradesh (1953):** Created after Potti Sriramulu's hunger strike, it became the first linguistic state, proving that linguistic aspirations could redraw India's map.
- **Tamil Nadu (1965):** Anti-Hindi agitations marked a turning point. The DMK rose to power in 1967, rejecting the three-language formula and insisting on Tamil and English.
- **Karnataka (1980s):** The Gokak agitation demanded primacy for Kannada in education.
- **Kerala:** Tied Malayalam to cultural and literary revival, strengthening regional pride.

2 Bengal and Gorkhaland

Bengal has historically asserted linguistic pride, resisting Hindi domination and defending Bengali in education and governance. Yet within Bengal, the Gorkhaland movement (1980s–present) reflects Nepali-speaking minorities' demand for autonomy, showing how language divides even within linguistic-majority states.

3 Maharashtra and the "Marathi Manoos"

The Samyukta Maharashtra Movement *(1950s)* demanded a Marathi-speaking state with Mumbai as its capital. Later, the Shiv Sena mobilised around the slogan "Marathi Manoos," linking language with employment, migration, and urban identity.

4 Punjab and the Punjabi Suba

The Punjabi Suba Movement led to the trifurcation of Punjab in 1966. Linguistic assertion here became intertwined with religious identity, with Punjabi in the Gurmukhi script tied closely to Sikh politics.

5 Nagaland and the North-East

The North-East presents a different dynamic, with hundreds of tribal languages:

- **Nagaland (Article 371A):** Protects Naga customary practices and linguistic rights.
- **Assamese Language Movement (1960s):** Efforts to impose Assamese triggered violent opposition by Bengali minorities.
- **Bodoland and Karbi movements:** Reflected assertion of smaller linguistic-ethnic groups.

4.6 Odisha and Gujarat – Overlooked Cases

- **Odisha (1936):** Became the first state in India to be created on linguistic lines, decades before independence, on the demand for Odia-speaking identity.
- **Gujarat (1960):** Formed alongside Maharashtra, after protests by Gujarati speakers who resisted merger into a larger Bombay state.

These examples highlight how linguistic mobilizations have redrawn boundaries and shaped federal bargaining.

5. Constitutional Balancing Act

The Indian Constitution adopts a **pluralist model**:

- No national language, but Hindi as official language of the Union.
- 22 Scheduled Languages recognized under the Eighth Schedule.
- States empowered to adopt their own official languages (Article 345).
- Articles 350A & 350B protect mother-tongue education and linguistic minorities.
- Special protections for North-East states (Articles 371A–371G).

This framework reflects deliberate avoidance of linguistic homogenization.

Contemporary Challenges

1. **National Education Policy (2020):** Revived the three-language formula, which immediately faced strong resistance from Tamil Nadu and similarly placed states. Tamil Nadu has historically opposed any attempt to impose Hindi or alter its two-language policy, linking language to Tamil identity and cultural pride. From the perspective of federalism, this opposition reflects the enduring tension between national integration measures and regional autonomy. The challenge posed by Tamil Nadu demonstrates how language remains a sensitive issue where educational policies, though framed at the Union level, are often contested on grounds of state identity and cultural preservation.
2. **Demands for recognition:** Demands for recognition of additional languages such as Bhojpuri, Tulu, Rajasthani, Garhwali, and others for inclusion in the Eighth Schedule continue to generate debate within India's federal framework. While the Constitution presently recognizes 22 languages, the pending claims numbering over 35 reflect the aspirations of diverse linguistic communities for cultural legitimacy, educational promotion, and administrative use. Committees like the Sitakant Mohapatra Committee (2003) examined these demands but no final decision has been made, highlighting the political sensitivities involved. The unresolved issue underscores how language-based recognition remains a contentious element, influencing both identity politics and center–state relations.
3. **Digital divide:** English dominates higher education and technology, marginalising regional languages.
4. **Judicial accessibility:** Supreme Court functions primarily in English, limiting linguistic justice.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

5. **Migration and Urbanisation:** Cities like Bengaluru, Mumbai, and Delhi witness linguistic tensions between locals and migrants.

Conclusion

Language in India is not only about communication but about identity, dignity, and culture. From the creation of Andhra Pradesh to the anti-Hindi agitations of Tamil Nadu, from Bengal's cultural pride to Maharashtra's Marathi Manoos politics, from Punjab's Punjabi Suba to Nagaland's tribal assertions, language has consistently shaped the contours of Indian federalism. The Indian Constitution has adopted a flexible, pluralistic approach that accommodates linguistic diversity without imposing uniformity. Judicial pronouncements have attempted to strike a balance, while scholars remind us that linguistic pluralism is central to democratic legitimacy. Comparative experience suggests that India's experiment with multilingual federalism is fragile yet innovative. Ultimately, India's unity lies not in linguistic uniformity but in respecting plurality. The future of Indian federalism depends on ensuring that language continues to be a source of cultural richness, not political division.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Integration and expansion of Human rights under the constitution of India during the journey of 75 years

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Manuscript ID:
JRD -2025-170927
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 110-113
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Indian Constitution represents a significantblend of ideals of justice, liberty, equality, and fraternity. At its heart lies the protection and promotion of human rights, which are universally recognized as inherent, inalienable, and indispensable for a dignified existence of every human being. The Constitution, through Fundamental Rights, integrates these human rights into the legal and political fabric of the nation. However, these rights have not remained static but flexible and expandable one. Over the last seventy-five years, Indian courts, particularly the Supreme Court, have expanded the ambit of these rights through progressive interpretation, judicial activism, and purposive construction, ensuring that the Constitution remains a living document.This article traces the integration of human rights in the Constitution, their expansion through judicial interpretation, the impact of international instruments like the UN Charter and UDHR, and the role of constitutional amendments in strengthening human rights. The paper also analyses landmark judgments such as Maneka Gandhi v. Union of India and Justice K.S. Puttaswamy v. Union of India, which have revolutionized the understanding of Article 21, making it the cornerstone of human rights jurisprudence in India. By revisiting the Constituent Assembly debates and significant historical milestones, this article seeks to illustrate the journey of human rights in India over the past seventy-five years.

Keywords: *Indian Constitution, Human Rights, Fundamental Rights, Directive Principles, Judicial Activism, Article 21, Public Interest Litigation (PIL), Constitutional Amendments, Basic Structure Doctrine*

Introduction:

Human rights are the quintessence of democratic governance and the foundation of constitutionalism. They are the basic freedoms and entitlements inherent in every individual by virtue of being human. The significance of human rights lies in their universality and inalienability. In India, the concept of human rights found expression during the freedom struggle, where demands for civil liberties and fundamental freedoms were central to nationalist aspirations. The framers of the Constitution, inspired by global developments and the moral imperatives of independence, sought to enshrine these rights in the constitutional text.

As Dr. B.R. Ambedkar observed during the Constituent Assembly Debates:

"The purpose of the Constitution is not merely to create the organs of the State, but also to limit their authority and to protect the liberty of citizens." When the Constitution came into force on 26 January 1950, it gave India one of the most comprehensive schemes of Fundamental Rights under Part III. This framework aimed to secure individual liberty, social justice, and equality before law. However, over the decades, the interpretation of these provisions has evolved significantly, expanding their ambit to include socio-economic and environmental rights. The Supreme Court has played a pivotal role in this journey, adopting a dynamic and purposive approach to constitutional interpretation.

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How to cite this article:
Sabale, T. V., & Bhattad, A. S. (2025). Integration and expansion of Human rights under the constitution of India during the journey of 75 years. Journal of Research & Development, 17(9(V)), 110–113. https://doi.org/10.5281/zenodo.17678987

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17678987

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Beginning with a rigid textualist view in A.K. Gopalan v. State of Madras, the Court moved towards an expansive reading in Maneka Gandhi v.Union of India, incorporating principles of fairness, reasonableness, and due process. Today, Article 21 encompasses several human rights such as right to privacy, right to clean environment, right to education, and right to health. This evolution reflects the adaptability of the Indian Constitution to changing societal needs and global human rights standards.

Objectives of the Paper: -

The present article aims to achieve certain objectives. They are as under,
To trace the historical development and expansion of human rights
To analyze the foundational integration of human rights within the Constitution of India
To study the constitutional provisions related to human rights
To study the role of the Indian judiciary in the expansion and interpretation of human rights
To study certain constitutional amendments that have not only integrated but expanded the human rights under the constitutional scheme

Importance of Human Rights and their integration under the Constitution of India – historical overview

The importance of human rights in a constitutional democracy like India cannot be overstated. These rights act as a bulwark against arbitrary power and ensure that every individual enjoys dignity, freedom, and equality. The integration of human rights into the Indian Constitution was a deliberate choice by the framers, driven by historical experience and the ideals of justice and fairness.The colonial period witnessed severe violations of civil liberties, with laws like the Rowlatt Act (1919) curtailing freedom of speech and assembly. The experience of repression during colonial rule underscored the necessity of constitutional safeguards. In 1928, the Nehru Report demanded a Bill of Rights for Indians, and later, the Sapru Committee (1945) recommended the inclusion of Fundamental Rights in the future Constitution. These developments culminated in the adoption of Part III of the Constitution.Thus, the integration of human rights into the Indian Constitution reflects a commitment to constitutional morality, democratic governance, and the rule of law, forming the bedrock of India's legal and political order.Dr. B.R. Ambedkar stated during the debates that the Constitution must not only establish the machinery of government but also guarantee the rights of citizens against possible misuse of power. This shows that the intention was to create a system where the State would be limited by law in its dealings with individuals, thus protecting their freedoms.This integration of human rights within the constitutional framework ensures their legal sanctity and provides citizens with a mechanism for redressal.Moreover, the Constitution adopts a comprehensive approach, combining civil and political rights (Part III) with Directive Principles of State Policy (Part IV), which aim to secure socio-economic justice. While the Directive Principles are non-justiciable, they guide the State in promoting welfare policies and have been instrumental in the judicial expansion of rights under Article 21.

Integration of Human Rights under the Constitution

The Preamble of the Constitution, which guarantees Justice – social, economic, and political; Liberty – of thought, expression, belief, faith, and worship; Equality – of status and opportunity; and Fraternity – assuring the dignity of the individual, encapsulates the essence of human rights. The inclusion of these ideals in the Preamble underscores the framers' vision of a just and humane society.Together, they reflect the philosophy of a welfare state committed to human dignity.

Fundamental Rights, as contained in Articles 12 to 35, secure a range of human rights:

1. Right to Equality (Articles 14-18)
2. Right to Freedom (Articles 19-22)
3. Right against Exploitation (Articles 23-24)
4. Right to Freedom of Religion (Articles 25-28)
5. Cultural and Educational Rights (Articles 29-30)
6. Right to Constitutional Remedies (Article 32)
7. The framers ensured that these rights were comprehensive, covering civil liberties such as freedom of speech, personal liberty, and equality before the law, which are essential for a democratic society.This scheme was inspired by international instruments like the UDHR (1948) and the American Bill of Rights, ensuring that human rights enjoy constitutional protection in India.

Part IV: Directive Principles of State Policy – The Social Dimension of Rights –

The Indian Constitution integrates human rights primarily through Part III (Fundamental Rights) and Part IV (Directive Principles of State Policy). While Fundamental Rights ensure individual liberties, Directive Principles aim at achieving socio-economic justice. These principles are not legally enforceable, but they provide important guidance to the State in formulating policies.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Expansion of Human Rights during 75 Years – Judicial Developments

The expansion of human rights in India over the past seventy-five years has been one of the most dynamic aspects of its constitutional jurisprudence. While the framers of the Constitution provided an elaborate framework of Fundamental Rights in Part III, they could not foresee every challenge that a modern society would encounter.It was, therefore, the judiciary that rose to the occasion by adopting an expansive interpretation of these rights, ensuring that the Constitution remains a living and adaptable document. This judicial creativity has led to the recognition of new rights under the broad language of existing constitutional provisions, particularly Articles 14, 19, and 21. Article 21 of the Constitution, which guarantees that "No person shall be deprived of his life or personal liberty except according to procedure established by law," has emerged as the most significant provision in the realm of human rights. Initially, the interpretation of this Article was narrow, as seen in *A.K. Gopalan v. State of Madras* (1950). This approach changed with the landmark judgment in Maneka Gandhi v. Union of India (1978), where the Court held that the procedure under Article 21 must be "just, fair, and reasonable" and not arbitrary or oppressive.

Post-Maneka Gandhi, Article 21 became a reservoir of numerous rights, including:

1. Right to live with human dignity (Francis Coralie Mullin v. Administrator, Union Territory of Delhi, 1981)
2. Right to livelihood (*Olga Tellis v.* Bombay Municipal Corporation, 1985)
3. Right to education (Mohini Jain v. State of Karnataka, 1992; Unnikrishnan v. State of Andhra Pradesh, 1993)
4. Right to privacy (Justice K.S. Puttaswamy v. Union of India, 2017)
5. Right to clean environment (Subhash Kumar v. State of Bihar, 1991)
6. Through these judgments, the judiciary has transformed Article 21 into the fountainhead of human rights, ensuring that the right to life encompasses all facets necessary for a dignified existence.

Environmental Rights and the Right to a Healthy Environment

The watershed case of M.C. Mehta v. Union of India (1986) laid the foundation for environmental jurisprudence in India. The Court, while dealing with the issue of industrial pollution, held that the right to life includes the right to a wholesome environment

Digital Privacy and the Right to Informational Self-Determination

The landmark judgment in Justice K.S. Puttaswamy v. Union of India (2017) marked a turning point in Indian constitutional law by declaring the right to privacy as a fundamental right under Article 21.

Gender Justice and Protection of Women's Rights

One of the earliest landmark decisions was Vishaka v. State of Rajasthan (1997), where the Supreme Court laid down comprehensive guidelines to address sexual harassment at the workplace in the absence of legislative measures. These guidelines, popularly known as the Vishaka Guidelines, were later codified in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

LGBTQ+ Rights and the Recognition of Sexual Minorities

The real breakthrough came in Navtej Singh Johar v. Union of India (2018), where a five-judge Bench of the Supreme Court unanimously struck down the colonial-era provision to the extent that it criminalized consensual sexual relations between adults of the same sex. The Court held that sexual orientation is an intrinsic part of personal identity and dignity, and its criminalization violates the fundamental rights to equality, non-discrimination, and privacy.

Expansion through Constitutional Amendments –

First Amendment (1951) – Reasonable Restrictions under Article 19 -

This amendment was seen as a balancing mechanism between individual liberty and societal interests. While criticized for curbing free speech, it ensured that rights were not misused to destabilize democracy.
Thus, it marked the first major step in reconciling freedom with constitutional order.

Twenty-Fourth Amendment (1971) – Parliament's Power to Amend Fundamental Rights –

The 24th Amendment clarified that Parliament has the explicit power to amend any part of the Constitution, including Fundamental Rights. This was a response to the Supreme Court's restrictive interpretation in Golaknath v. State of Punjab (1967), which held that Parliament could not amend Part III.

Seventy-Third Amendment (1992) – Panchayati Raj and Grassroots Democracy –

The 73rd Amendment introduced Part IX to the Constitution, giving constitutional status to Panchayati Raj Institutions (PRIs). This amendment ensured participatory democracy at the grassroots level, empowering citizens to directly influence governance and development. By institutionalizing local self-government, it promoted social justice, gender equality, and inclusiveness.

Eighty-Sixth Amendment (2002) – Right to Education (Article 21A) –

This amendment inserted Article 21A, making free and compulsory education a fundamental right for children aged 6 to 14 years. It transformed the Directive Principle under Article 45 into an enforceable right, recognizing education as the foundation for human development and social empowerment.

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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

One Hundred and Second Amendment (2018) – OBC Commission Constitutional Status –

The 102nd Amendment granted constitutional status to the National Commission for Backward Classes (NCBC) by inserting Article 338B. It aimed to provide greater authority and independence to the Commission in safeguarding the rights of socially and educationally backward classes. This amendment also introduced Article 342A, giving the President the power to notify OBC lists for states and the union.

Conclusion:

The seventy-five-year journey of the Indian Constitution reflects an extraordinary transformation in the realm of human rights. From the initial framework of Fundamental Rights to the expansive jurisprudence of today, India has witnessed a continuous evolution driven by judicial creativity, legislative reforms, and international influence. The Constitution has proved to be a living document, adapting to societal changes while safeguarding the core values of liberty, equality, and dignity. As India enters the digital age, new challenges such as data privacy, AI ethics, and cyber security demand further expansion of human rights. The future of Indian democracy lies in ensuring that these rights remain meaningful, enforceable, and inclusive for every citizen**.**

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Employment Challenges of Scheduled Caste Women in Agricultural and Non-Agricultural Sectors

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Manuscript ID:
JRD -2025-170928
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 114-117
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

After 75 years of India's independence, the development of Scheduled Caste women has not been achieved. Even today, these women have to face many problems. Scheduled Caste women face many problems in various fields of employment. This study mainly studies the obstacles faced by Scheduled Caste women in the agricultural and non-agricultural sectors. Secondary sources such as PLFS (2023-24), NFHS-5 (2019-21) have been used for this study. Employment plays an important role in the development of Scheduled Caste women. The development of these women can be achieved through an increase in employment. This can be achieved by studying the major obstacles faced by this employment. The conclusion shows that landlessness, mechanization, low wages, insecure employment, discrimination, occupational segregation are the major challenges. These challenges create obstacles to the socio-economic development of Scheduled Caste women. For this, a strategic solution plan is required in areas such as education, skill-based training, equal pay, land rights, etc. Measures such as these will increase the employment participation of Scheduled Caste women and help improve their socio-economic status.

Keywords: *Schedule Caste women, Agriculture, Non Agriculture, Challenges, Employment.*

Introduction

The Scheduled Castes population is seen in large numbers in India. The Scheduled Castes are seen at the lowest level in the caste system, and these castes face disadvantages everywhere. When considering the women of the community, they are considered less than the men of this community. These women have to endure discrimination in society, as well as in their own community, due to caste and gender. Although the number of this group is large in India, their participation in work is not seen as much as it should be, the first reason for this is the attitude of the society towards this group. Along with the development of India, this community is also seen developing, but the pace of this development is very slow. The participation of this community in employment is seen, but many problems are seen in the employment of women, which affects their development. Employment is an important tool to give this community a place in society. It is necessary to increase the participation of women from the Scheduled Castes in employment. Employment will change the living standards, confidence will help in gaining a place of respect in society. Women from Scheduled Castes are seen participating in agricultural and non-agricultural employment. Their participation in agriculture is high in rural areas, but in these areas they have to work as low-wage, seasonal employment and as laborers in agriculture, while in urban areas they are seen working as laborers in domestic industries, construction sector and informally. Very few of them get good jobs. The present paper is useful for understanding in detail the problems they face while working in agricultural and non-agricultural sectors. Understanding the problems and taking appropriate measures to address them can help in their upliftment.

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How to cite this article:
Mulla, Y. H., & Korabu, R. G. (2025). Employment Challenges of Scheduled Caste Women in Agricultural and Non-Agricultural Sectors. Journal of Research & Development, 17(9(V)), 114–117. https://doi.org/10.5281/zenodo.17679373

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17679373

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Objective

To study the major challenges faced by Scheduled Caste women in employment in agricultural and non-agricultural sectors.

Review of Literature

1) Dr. K. Sreenivasa Murthy, Dr. M. Subramanyam, P. Neelayathatchi (2022) have studied the problems faced by women entrepreneurs of Scheduled Castes in some selected districts of four states of India namely Andhra Pradesh, Orissa, Tamil Nadu, Kerala. Women entrepreneurs face difficulties in terms of financial capital, raw materials, marketing, and shortage of labor, infrastructure and machinery. The main reason for these problems is the lack of education and training among women of this community. To reduce these problems, the government needs to provide educational opportunities and proper training to Scheduled Caste women.

2) Vijaykumar Murthy, Dr. Jaikishan Thakur (2015) have studied the problems and challenges faced by Scheduled Caste women in Gulbarga district of Karnataka. Even today in the 21st century, Scheduled Caste women are deprived in the society due to caste, gender, poverty. The present study concluded that unemployed housewives had to face more problems compared to self-employed or employed women. Of course, employment has given Scheduled Caste women status, equality and respect in the society along with economic support.

3) According to Shri. Sanjay Sande (2018), in today's modern times, the problems faced by women of Scheduled Castes at the social and economic level have been reviewed. Women of Scheduled Castes are directly or indirectly discriminated against by the upper caste classes in terms of social, economic and educational rights. Women of this caste have to face low-quality work, low wages, humiliation, harassment. Efforts are made to keep women of Scheduled Castes away from social justice. Special efforts are being made to achieve the educational and economic interests of Scheduled Castes. But as a weaker section, they still have to face many problems in the society.

4) Manunayaka G., K. Ponnusamy (2023) have studied the difficulties and challenges faced in the efforts to empower the Scheduled Caste farming community through the agricultural sector. Since ancient times, the Scheduled Caste community has faced exclusion and discrimination. A large group of this community seems to be in the agricultural sector. But obstacles such as lack of own land, lack of information about production, lack of productive assets seem to be hindering their empowerment. Such farming families can be empowered with the help of capacity, skill development and policies.

Methodology

The present study is completely based on secondary sources. Secondary data has been used in the form of national level reports like Census of India, Periodic Labour Force Survey (PLFS-2023-24), NSSO Report (2011-12), and National Family Health Survey (NFSH-5). Along with this, the study has been based on government reports, research articles.

Employment Challenges of Scheduled Caste Women

Scheduled Castes are considered to be a group of society that is still not fully developed, this group is in dire need of development. But due to the caste system, this society has to face many problems. Even after almost 75 years of independence, Scheduled Castes, mainly women, have to struggle to get respect and employment in the society. Despite the provisions of the Constitution, welfare policies and schemes for equal justice of Scheduled Castes, their participation in employment is seen as low. Mainly in the case of Scheduled Castes, the participation rate in employment is seen as very low.

Table - Labour Force Participation Rate (%) for Scheduled Caste estimated from PLFS (2021-22), PLFS (2022-23), and PLFS (2023-24)

Year	SC Men (%)	SC Women (%)
2021-22	56.9	25.0
2022-23	57.3	28.9
2023-24	57.7	32.2

Source: Annual Report, PLFS (2023-24)

The Periodic Labour Force Survey (PLFS) shows the labour force participation rate of Scheduled Castes for the last 3 years. The labour force participation rate of women is very low compared to other social groups as well as Scheduled Caste men. The data for the last 3 years shows that the labour force participation rate of women and men among Scheduled Castes is increasing, but this increase is happening at a slow pace. These data show that the participation rate of women among Scheduled Castes is much lower than that of men. It is clear from the above table that the labor force participation rate of women is low. The participation is even lower in urban areas compared to rural areas. The main purpose of collecting this data is to show the participation rate of women in the labor force participation rate. The study revealed that due to social, economic and cultural constraints, the participation of women from Scheduled Castes in employment is low. These problems have been reviewed and categorized into agricultural and non-agricultural sectors.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Employment Challenges in Agriculture Sector

1) Lack of Land Ownership

According to the National Family Health Survey (NFHS-5), only 30.2% of women in Scheduled Castes own land. This is very less compared to women of other social groups. Even among the land that these women own, most of the land seems to be jointly owned. In which the land is registered in the name of husband and wife or other family members. In this way, Scheduled Caste women get formal rights to land ownership, but in reality, men have the right to control and make decisions about it. Due to lack of land ownership, Scheduled Caste women have to work in the agricultural sector for low wages. This affects their social and economic development.

2) Low wages

The biggest challenge faced by women in agriculture is low wages. Despite their high participation as workers in the unorganized sector, they have to work for low wages and in insecure places, where their income is much lower than average. Although women in rural India are more involved in agriculture than men, they are seen working for much lower wages than men, and the wage gap is more visible among women from Scheduled Castes due to caste and gender-based social discrimination. Lack of land ownership, lack of skills, seasonal nature of agriculture and dependence on employment in the unorganized sector, which leads to low wage levels. As a result, Scheduled Caste women earn less. This hinders their economic independence and achieving a respectable position in society.

3) Mechanization

Mechanization plays an important role in the agricultural sector. For example, it is used to increase the process, productivity and efficiency of crop production in the agricultural sector, but it creates a challenging situation for the employment of women working in the agricultural sector, especially those belonging to the Scheduled Castes, in rural areas. Women working in the agricultural sector in rural areas were involved in agricultural related work such as sowing, planting, harvesting, threshing and so on. Due to modern technology, work in the agricultural sector is done by machines. As a result, women's participation in employment is seen to have decreased. Mainly mechanized work is considered male-centric. Due to which women mainly stay away from women from the marginalized classes. Along with this, women farmers also face discrimination in providing loans for purchasing new technology. ((FAO), 2011) Mechanization has increased productivity in the agricultural sector, but women belonging to the Scheduled Castes see a lack of employment opportunities in the agricultural sector due to gender discrimination.

4) Seasonal Employment

There is no employment in the agricultural sector throughout the year. Employment in the agricultural sector is seasonal. Employment in the agricultural sector is limited to work like sowing, harvesting, weeding, etc., depending on the season. This makes it difficult to get work throughout the year. Due to this, women get employment for a short period of time and also get income during the same period. This problem is bigger in the case of Scheduled Caste women, because these women are mainly involved in the agricultural sector, that is, in the unorganized sector. Where they get seasonal employment. In general, they get less income. Seasonal employment leads to a decrease in income, which in turn leads to a decrease in their social status. Overall, many factors like low wages, discrimination, employment in the unorganized sector affect their economic and social status.

Employment Challenges in Non-Agriculture Sector

1) Lack of education and skills

Lack of education and lack of skills create a major obstacle for Scheduled Caste women to get employment in non-agricultural sectors. Minimum literacy, skills, training and technical knowledge are required to get employment in non-agricultural industries and businesses. However, due to poverty and discrimination, the participation of the disadvantaged sections of the society is less due to education. As a result, they cannot get skilled and suitable employment. Due to this, they have to depend on low-paid employment like domestic work, construction, cleaning and other insecure jobs. Lack of education and skills not only affects their professionalism but also their social status. Due to all these factors, Scheduled Caste women have to be deprived of the newly created opportunities in the economy.

2) Low wages and insecure employment

Low wages and insecure employment are common in the non-agricultural sector. Due to lack of education, Scheduled Caste women are involved in informal jobs such as domestic work, construction, brick kilns, and sanitation workers in the non-agricultural sector. These jobs are characterized by low wages, lack of contracts, and lack of security benefits such as provident fund, maternity leave and health insurance. Scheduled Caste women experience these problems more acutely than other social groups. There is no job security in unorganized employment, and they are more likely to lose their jobs. Due to problems in the labor market, these women have to face poverty, which affects their economic independence and social status.

3) Occupational segregation

Occupational segregation refers to the organization of occupations on the basis of caste and gender. In the non-agricultural sector, education and skills are factors that contribute to occupational segregation, but social and

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

cultural factors also play a role. Occupational segregation is seen as a barrier to employment for these women, who are considered to be socially marginalized groups in the Scheduled Castes. While women from the so-called advanced groups of society are divided into well-paid jobs and receive wage benefits, women from the Scheduled Castes are engaged in low-paid and insecure occupations. This unequal distribution, coupled with gender-based wage inequality, seems to have put them at a disadvantage in the workplace. (Rammohan A.) Thus, Scheduled Caste women face both caste-based and gender-based disadvantages in occupational segregation. Often, they have the skills to do the right job, but in urban areas, they are limited by personal connections, which seems to be partly due to social pressure.

4) Discrimination at Work

The biggest problem in non-agricultural sectors is discrimination at work. Discrimination against women at work is a persistent phenomenon in India. It includes gender discrimination, low wages, occupational segregation, lack of leadership opportunities, harassment at work, and discrimination in employment and promotion. All these have an impact on women's participation in the professional sector, economic independence, and their well-being. (Ms. Bhonsle S, 2025) This discrimination is seen in both agricultural and non-agricultural sectors. They are given less prestigious jobs compared to upper caste women or men. Such discrimination at work limits the spiritual advancement of Scheduled Caste women. It also leads to a decrease in their self-confidence. Due to such inequalities, the development of Scheduled Caste women is delayed.

Conclusion

This research has studied the main problems faced by Scheduled Caste women working in agriculture and non-agricultural sectors. In employment, these women face difficulties in both agricultural and non-agricultural sectors, which are felt more acutely than women from other communities and create obstacles to their development. Women working in agriculture face problems such as lack of land ownership, low wages, mechanization, seasonal employment, while non-agricultural education and skills, insecure employment, occupational segregation and discrimination at the workplace. According to the National Family Health Survey (NFHS-5), only 30.2% of Scheduled Caste women own their own land. If the development of the disadvantaged sections of the society is to be achieved, the government needs to take the initiative to reduce these problems. It is difficult to achieve the development of Scheduled Caste women without efforts for education and skills at the social level. Along with this, comprehensive policies are needed to ensure equal rights to land and access to formal employment.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Constitution and Women's Empowerment in India After 75 Years

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Manuscript ID:
JRD -2025-170929
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 118-121
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Seventy-five years after the Constitution of India came into force (1950–2025), the country has made substantial yet uneven progress on women's empowerment. This article analyzes how constitutional guarantees particularly equality, non-discrimination, affirmative action, and directive principles have shaped legal, institutional, and sociocultural change. Using a qualitative-interpretive methodology supplemented by secondary quantitative indicators, we examine landmark Supreme Court jurisprudence, national policies and schemes, and shifts in political, economic, and personal autonomy. We synthesize findings through a sociological framework that links constitutional norms to institutions, social movements, and everyday gender relations. The discussion identifies enabling conditions (judicial activism, rights-claiming by feminist movements, and decentralization) and persistent barriers (intersectional inequalities, implementation deficits, and gendered unpaid care).

Keywords: *Indian Constitution; women's rights; gender equality; political representation.*

Introduction:

India's Constitution is both a legal charter and a social project. Its transformative vision rooted in justice, liberty, equality, and fraternity has been central to the struggle for women's empowerment. Over three generations, constitutional text, amendments, and judicial interpretation have expanded women's rights in public and private spheres: from political representation and workplace equality to reproductive autonomy and freedom from violence. Seventy-five years after the Constitution of India came into force (1950–2025), the country has made substantial yet uneven progress on women's empowerment. Yet empowerment remains uneven across class, caste, tribe, religion, disability, rural–urban location, and region. On this background this article analyzes how constitutional guarantees particularly equality, non-discrimination, affirmative action, and directive principles have shaped legal, institutional and sociocultural change after 75 years.

Conceptual Framework

We adopt a **norms–institutions–outcomes** lens:

1. **Constitutional Norms**: Equality (Articles 14–16), non-discrimination (Articles 15(1)–(3)), dignity and life (Article 21), affirmative action (Articles 15(3), 15(4), 16(4)), directive principles (e.g., Articles 39(a), 39(d), 42), and federal features enabling decentralization (73rd/74th Amendments).
2. **Institutions & Actors**: Legislature, executive agencies, courts, National/State Commissions for Women, Panchayat Raj institutions, social movements, media, markets.
3. **Outcomes**: Political participation, bodily integrity, economic participation and assets, education and health, and voice in family/community.

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How to cite this article:
Patil, A. A., & Patil, P. G. (2025). Constitution and Women's Empowerment in India After 75 Years. Journal of Research & Development, 17(9(V)), 118–121. https://doi.org/10.5281/zenodo.17679478

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17679478
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

4. **Intersectionality**: Gender intersects with caste, tribe, class, religion, disability, age, marital status, sexual orientation and gender identity.

Constitutional Design Relevant to Women:

1 Fundamental Rights

Article 14: Equality before law and equal protection.
Article 15(1)–(3): Prohibits discrimination and explicitly permits special provisions for women and children.
Article 16: Equality of opportunity in public employment.
Article 19 & 21: Freedom and life with dignity underpin reproductive rights, privacy, mobility, and occupation.
Article 23–24: Prohibit trafficking and child labor.

2 Directive Principles & Duties

Articles 39(a), 39(d), 39(e), 42, and 47: Adequate livelihood, equal pay, protection of workers' health, maternity relief, and nutrition.
Article 51A (e): Fundamental duty to renounce practices derogatory to the dignity of women.

3 Amendments and Institutional Design

73rd & 74th Amendments (1992–93): Reserved one-third (subsequently up to 50% in many states) of local government seats and leadership positions for women.
Judicial Review (Arts. 32 & 226): Enables PILs and rights-claiming.
Recent Political Reservation: The constitutional framework for one-third reservation of seats for women in the Lok Sabha and State Assemblies has been enacted, with delimitation-linked implementation.

Methodology:

For this study a qualitative, interpretive design was used. This paper is purely based on secondary sources i.e. constitutional provisions and amendments; key Supreme Court and High Court judgments, Government policy documents, commission reports, and guidelines. Statistics from national surveys and international development databases were used descriptively.

Discussion:

1 Milestones across 75 Years:

1950s–1970s: Foundational Rights and Early Reforms

Constitutional guarantees catalyzed reforms in personal, labor, and criminal law.
Creation of women-focused bodies within ministries; early case law on equality and protective discrimination.

1980s–1990s: Jurisprudential Expansion & Decentralization

Public interest litigation expanded access to justice.
Vishaka guidelines (1997) on workplace sexual harassment grounded in Articles 14, 15, 19, and 21.
73rd/74th Amendments institutionalized women's political presence at the grassroots.

2000s–2010s: Statutory Consolidation & Rights Deepening

Domestic Violence Act (2005), **PCPNDT Act strengthening**, **Sexual Harassment of Women at Workplace Act (2013)**.
Jurisprudence on privacy (as an aspect of dignity under Art. 21), marital rape exception debates, and decisional autonomy in marriage and mobility.
Many states enhanced women's reservation in panchayats to 50%.

2020s: Bodily Autonomy, Digitalization, and Parliamentary Quotas

Courts have emphasized consent, reproductive autonomy, and access to safe abortion within the dignity–privacy framework.
Legislative steps to reserve one-third seats for women in Parliament/Assemblies signal a potential structural shift, pending operationalization.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Landmark Judgments Shaping Empowerment (Illustrative):

Area	Case (Year)	Constitutional Hook	Contribution
Workplace dignity	Vishaka v. State of Rajasthan (1997)	Arts. 14, 15, 19, 21	Laid down enforceable guidelines against sexual harassment, later codified in 2013 law.
Equal citizenship & privacy	Justice K.S. Puttaswamy v. Union of India (2017)	Art. 21	Recognized privacy as a fundamental right; basis for bodily autonomy and decisional freedom.
Gender equality in religion	Indian Young Lawyers Assn. v. State of Kerala (Sabarimala, 2018)*	Arts. 14, 15, 25	Majority favored women's entry, asserting anti-exclusion principles (review pending/complex).
Decriminalization affecting sexual autonomy	Navtej Singh Johar v. Union of India (2018)	Arts. 14, 15, 19, 21	Decriminalized same-sex relations; broadened autonomy and dignity frameworks benefiting all genders.
Reproductive autonomy	High Court/Supreme Court line of cases (2016–2023)	Art. 21	Expanded access to abortion within statutory limits emphasizing dignity and consent.

Reflects a contested and evolving area; included for its equality reasoning.

Political Empowerment:

a) Local Governance:

Reservations under the 73rd/74th Amendments normalized women's presence in panchayats and urban local bodies, creating female leadership pipelines. Evidence shows increases in public goods aligned with women's priorities (water, sanitation), enhanced female political ambition, and intergenerational effects for girls. Challenges include proxy representation (the "sarpanch pati" phenomenon) and variable capacity building.

b) National and State Legislatures:

The constitutional framework for one-third reservation in the Lok Sabha and State Assemblies, once operationalized post-delimitation, could recalibrate agenda-setting and policy priorities, as seen in global evidence on gender quotas. Effective implementation will require independent monitoring and party-level candidate development.

4 Economic Empowerment:

a) Labor Force Participation and Quality of Work

Despite gains in education, women's labor force participation remains constrained by unpaid care, safety concerns, occupational segregation, and informality. Constitutional principles of equal opportunity (Art. 16) and equal pay (Art. 39(d)) inform labor codes and judicial dicta, but enforcement is uneven.

b) Property and Asset Rights

Hindu Succession (Amendment) Act (2005) equalized daughters' coparcenary rights, later affirmed in case law, strengthening women's claims to ancestral property. Yet awareness, social norms, documentation hurdles, and regional personal law variations limit realization. Constitutional equality provides the normative basis for continued reform and uniform enforcement.

c) Financial Inclusion and Digital Public Infrastructure

Digital ID, direct benefit transfers, and women-centric accounts have improved financial access. To convert access into empowerment, complementary measures skill training, market linkages, childcare, and safe transport remain essential.

5 Bodily Integrity, Autonomy, and Freedom from Violence:

a) Legal Architecture

Key statutes Domestic Violence Act, POCSO, workplace harassment law, prohibition of trafficking derive strength from the Constitution's guarantees of dignity (Art. 21) and non-discrimination (Arts. 14-15). Jurisprudence has refined consent standards, privacy in sexual offence trials, and victim-centric procedures.

b) Persistent Gaps

Under-reporting and attrition in the criminal justice pipeline.

Social stigma and retaliation against complainants.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Limited access to shelters, counseling, medical and legal aid, especially in rural and peri-urban areas.
Intersectional vulnerabilities (Dalit, Adivasi, minority, migrant, disabled, and queer women).

6 Education, Health, and Care Economy:

a) Education

Gender gaps in basic education have narrowed substantially, but STEM participation, leadership tracks, and returns to education still vary by social group and region.

b) Health and Reproductive Rights

Maternal health indicators have improved with institutional deliveries and public schemes. Recent case law emphasizes reproductive autonomy and confidentiality. Gaps persist in quality of care, contraception access, and adolescent health.

c) The Missing Infrastructure: Care

The Constitution's directive principles (Articles 39, 42) envision maternity relief and humane work conditions, but India's care economy remains under-built. Public childcare, eldercare, and disability support are fragmented, shifting burdens to households and depressing women's labor outcomes.

7 Civil Society, Social Norms, and Rights-Claiming:

Feminist movements, legal aid collectives, and community-based organizations have translated constitutional ideals into lived claims drafting PILs, monitoring police/court practices, and training local representatives. Media and digital platforms amplify voices but also expose women to online harassment, prompting calls for rights-consistent content governance.

Conclusion:

The Constitution of India has been foundational to women's empowerment, not merely as text but as a living framework enabling rights-claiming, institutional design, and public accountability. Over 75 years, it has seeded profound shifts women in local governance, workplace dignity norms, reproductive autonomy, and equal inheritance. Yet constitutional promises remain unevenly realized due to social norms, implementation gaps, and intersecting inequalities. The next horizon requires moving from episodic legal victories to systemic capability building: care infrastructure, gender-responsive budgets, robust enforcement, secure property rights, and inclusive digital governance. Aligning these with constitutional values can convert formal equality into substantive freedom for all women in India.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Impact of Irrigation on Agriculture Productivity in Satara District of Maharashtra State

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Manuscript ID:
JRD -2025-170930
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 122-125
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Irrigation is known as an important factor in Indian agriculture. Because there are irregularities in rainfall and constant changes in weather. Therefore, irrigation is essential to increase agricultural production successfully. This research has studied the irrigation status of Satara district in Maharashtra state and its impact on agricultural productivity. For this, a study has been conducted based on secondary data from 2019-20. *The aim was to understand regional irrigation disparities by analyzing the total cultivated area and irrigated area by taluka. Also, the area, production and productivity of major crops were examined according to the availability of irrigation. The findings show that there is inequality in taluka-wise irrigation. Phaltan, Karad and Satara talukas have more irrigation facilities. Whereas the Jawali Khatav areas are still drought-affected. In the crop study, irrigated crops like sugarcane and wheat were found to be the highest in productivity. While millet and jowar were found to be less productive. It is clear from this observation that irrigation has a significant impact on agricultural productivity in Satara district. Therefore, it is necessary to expand irrigation facilities to achieve agricultural development.*

Keywords: *Irrigation, Agriculture, Major Crops, Productivity.*

Introduction

Since agriculture in India is generally dependent on rainfall, irrigation is an important factor for achieving stability and high productivity. Since Maharashtra is a drought-prone state, various irrigation projects have been set up in the state to overcome the uncertainty of rainfall. Satara district is an agriculturally important district in Maharashtra, and the irrigation provided by Koyna Dam, Krishna-Koyna Upsa Irrigation Scheme, Dhom Dam, Tembhu Scheme and other medium and small irrigation projects has increased the agricultural productivity, cropping pattern and income of the farmers in the district. Before the introduction of irrigation, agriculture in Satara district was based solely on the availability of rainfall. During that time, traditional crops like jowar, bajra, pulses and groundnut were grown. The expansion of irrigation facilities has changed agriculture in Satara district to a great extent. Due to reliable irrigation, farmers have started growing cash crops like sugarcane, wheat and rice. Therefore, it is important to study the effect of irrigation on agricultural productivity in Satara district. This study helps to clarify the nature of changes in productivity due to the availability of irrigation facilities and their impact on agricultural development.

Review of Literature

Dr. Banduke, S. Mane (2019) has done a geographical analysis of agricultural productivity of rice crop in Satara district. For the study area, they have selected the entire Satara district, in which the effect of climate, rainfall and physical characteristics on rice production has been examined. For the study, data from district gazetteers, agriculture department reports, and census data were used, and statistical analysis, maps, and comparative methods were used in the methodology. The period from 1990 to 2010 has been studied.

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How to cite this article:
Kumbhardare, K. S., & Potbhare, S. S. (2025). Impact of Irrigation on Agriculture Productivity in Satara District of Maharashtra State. Journal of Research & Development, 17(9(V)), 122–125. https://doi.org/10.5281/zenodo.17679695

Quick Response Code:

Website:
https://jrdrvb.org/

DOI:
10.5281/zenodo.17679695

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The conclusion shows that in a period of 20 years, the highest increase in rice crop productivity has been observed in Mahabaleshwar taluka of Satara district and has reached 100.7. Whereas, the highest decrease has been observed in Phaltan taluka.

Priyanga Dunusinghe (2021) has studied the impact of irrigation on agricultural productivity in this research article, focusing on rice and maize crops. The period 2007 to 2019 has been selected for the study, and the information has been taken from the Cost of Cultivation of Agricultural Crops Handbook. The study considered two seasons every year. According to the conclusion, irrigation has shown 40% higher productivity in rice crop and 12% in maize crop. Also, mechanization has a positive effect on productivity in rice and maize crops. The study shows that irrigation increases agricultural productivity, promotes economic development by producing more produce on less land.

M. Shahapur, Dr. R. Pote (2021) the main objectives of this study are to study the period and area distribution of irrigation in Yadgir district and to investigate its impact on agricultural development and to find out the areas of waterlogging in irrigation facilities and its causes. Secondary data from the period 2009-10 to 2018-19 has been used for this study. The study revealed that although the total irrigated area of the district has increased, the area under canal irrigation has decreased from 87.25 percent in 2009-10 to 80.46 percent in 2018-19. The proportion of well irrigation and tubewell irrigation has increased. The total irrigation intensity of the district was 15.54 percent in 2009-10, which increased to 18.54 percent in 2018-19, showing an increase of 27.58 percent. Therefore, it has been suggested that effective use of various irrigation sources and groundwater conservation are necessary to improve agricultural productivity.

Dr. Bala Srinivas (2022) has conducted a study on the impact of irrigation system on agricultural production in Telangana state, especially in the context of rice crop. For this research, he has collected information from primary sources. Two districts, Karimnagar, which is advanced in the field of agriculture, and Mahbubnagar, which is backward, have been selected for the study. The productivity of rice crop in irrigated areas is higher than in unirrigated areas. Availability of irrigation increases production and improves the income, employment and standard of living of farmers. The study also showed that irrigation increases the trend towards cash crops, thus improving the socio-economic condition of the agricultural sector.

Objective

1. To understand the irrigation situation in Satara district.
2. To study the impact of irrigation on the productivity of major crops.

Study Area

Satara district is situated in the western part of the Deccan Plateau. The district is bounded by Pune to the north, Solapur to the east, Sangli to the south, Ratnagiri to the west and Raigad to the northwest. The total geographical area of Satara district is 1121.96 sq. km. which is 3.40% of the state of Maharashtra. The district is spread between 17.5 to 18.11 North latitude and 73.33 to 74.54 East longitude. There are a total of 11 tehsils in the district. According to the 2011 census, there are 1719 villages in the district.

Research Methodology

This study has studied secondary sources and considered the period of 2019-20. The information collected using research articles, district social and economic surveys has been presented in the form of tables and graphs to study the impact of irrigation on agricultural productivity in Satara district.

Results & Discussion

The development of agriculture in Satara district depends on irrigation. Due to irregular rainfall and geographical conditions, there is a huge difference in irrigation in the district from taluka to taluka. Since the eastern talukas of Man and Khatav are drought prone, irrigation is of greater importance here. To study the irrigation status of the district, the irrigated area (%) has been determined by comparing the total cultivated area and the net area under irrigation in talukas, which clearly shows the irrigation status. The distribution of this study is given in Table 1.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Table 1: Taluka-wise Irrigation Status in Satara District (2019-20)

Sr.No.	Taluka	Net Sown Area (ha)	Net Irrigated (ha)	% Irrigated Area
1	Mahabaleshwar	14554	3186	1.85
2	Wai	34539	7899	4.59
3	Khandala	38476	9330	5.42
4	Phaltan	49624	29309	17.03
5	Man	95322	21866	12.70
6	Khatav	98906	14502	8.42
7	Koregaon	81553	14481	8.41
8	Satara	86279	26677	15.50
9	Jawali	27264	2759	1.60
10	Patan	65098	9322	5.41
11	Karad	103450	32725	19.01
	Total	**695065**	**172056**	**100**

Source: The Socio- Economic Abstract of Satara District 2019-20

Table 1 presents the taluka-wise irrigation status of Satara district for the year 2019-20. The total net sown area of Satara district is 695065 hectares, out of which the net area under irrigation is 172056 hectares. The percentage of irrigated area varies in all talukas. Karad (19.01%), Phaltan (17.03%), Satara (15.50%) are the most irrigated talukas, while Maan (12.70%), Khatav (8.42%) and Koregaon (8.41%) are the talukas with moderate irrigation. On the other hand, the irrigation coverage is very low in Khandala (5.42%), Patan (5.41%), Wai (4.59%), Mahabaleshwar (1.855), Jawali (1.60%). This shows that irrigation facilities are concentrated in a few talukas. While the remaining talukas are mainly dependent on rain.

Table 2: Productivity of Major Crops in Satara District (2019-20)

Sr.No.	Crops	Area (h)	Production In Tonnes	Productivity In Kg/ha
1	Rice	420.10	616.93	1469
2	Wheat	377.55	769.49	2038.13
3	Jowar	1338.64	1070.01	1468.5
4	Bajara	840.10	88546.54	105
5	Sugarcane	639.30	494.74	316.29
	Total	3615.69	91444.71	5396.92

Source: The Socio- Economic Abstract of Satara District 2019-20

Table 2 shows that in 2019-20, major crops were cultivated on a total area of 3615.69 hectares in Satara district, yielding 91444.71 tonnes. Rice area was 420.10 hectares, production was 616.93 tonnes and productivity was 1469 kg per hectare. Wheat area was 377.55 hectares, production was 769.49 tonnes and productivity was 2038.13 kg per hectare. Jowar area was 1338.64 hectares, production was 1070.01 tonnes and productivity was 1468.5 kg per hectare, while millet area was 840.10 hectares, production was 88546.54 tonnes and productivity was 105 kg per hectare. The sugarcane area is 639.30 hectares, production is 494.74 tons, and productivity is recorded at 316.29 kg per hectare. The above study shows that due to the availability of irrigation, the productivity of crops like rice and wheat is high. However, the productivity of crops like jowar and bajra, which are dependent on rainfed crops, is low despite covering a large area. However, the production of sugarcane is the highest and it emerges as the main cash crop of the district.

Conclusion:

The research has studied the irrigation status of Satara district and its impact on agricultural productivity based on secondary data for the period 2019-20. In this study, when the taluka-wise data was studied, it was found that out of the total cultivated area of 695065 hectares, only 172056 hectares is irrigated. This shows that there is a huge difference in the taluka-wise irrigation area in Satara district. Karad Phaltan and Satara talukas have more irrigation area due to irrigation facilities such as canals, wells and lift irrigation schemes, while hilly and rain-dependent talukas like Mahabaleshwar and Jawali have very low irrigation due to limited facilities. Productivity is high in irrigated talukas, while production remains low in rain-dependent talukas. When the crop-wise area, production and productivity were studied, it was found that the production and productivity of sugarcane and wheat crops were the highest. The area of sugarcane is only 840.10 hectares, which is relatively low, but its production is 88546.54 tons. The productivity of wheat is satisfactory due to the availability of irrigation and it has been recorded as 2038.13 kg per hectare. On the

contrary, rain-fed crops like jowar and millet, although they are grown in large areas, are low in production and productivity. On the other hand, the production and productivity of rice is moderate and it benefits from irrigation to some extent. From this analysis, it is clear that the availability of irrigation increases the production of commercial crops and strengthens the agricultural economy. The study shows that irrigation is an important factor in increasing the productivity of agriculture and crops in Satara district. In areas where irrigation is available, commercial crops have expanded. In drought-affected areas, however, production remains unstable due to rain-fed agriculture. Therefore, priority should be given to initiatives such as water conservation, water storage and small irrigation projects to increase irrigation facilities in the eastern and hilly areas.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Economic Justice in the Indian Constitution: A 75th Year Retrospective

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Manuscript ID:
JRD -2025-170931
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 126-128
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Constitution of India was adopted in the year of 1950. It is not solely a political document. It is a social document which promises in its preamble to provide people with social, economic and political justice. However, economic justice has always been the fundamental aspiration to set the record straight for historically rooted inequities and provide equal access to the resources, opportunities and welfare. India was in a highly divided, poverty-stricken, uneducated and economically stagnant society at the time of Independence. It was during the time of Independence, which was led by Dr. B.R.Ambedkar, who tried to eliminate these differences by embedding promises in the Constitution which in turn would guide the state to build a more equable society. From a constitutional perspective, over the recent 75 years, India has achieved considerable advancements in the area of 'constitution, laws and judgments' which aims to settle these principles in practice. Through the resources, which act as a moral compass, and amendments to the constitution like the 42nd and the 73rd, as well as welfare state legislation, like the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), the economic justice has been pursued deeply, in a bit counterbalanced way. Since the year of 1991, the liberations in the economic policies has shifted the debate of economic justice from inclusive growth and welfare schemes to redistribution. Despite progress in poverty alleviation, infrastructure, and economic empowerment, issues like unemployment, rising inequality, distress in agriculture, and inequitable educational and health resources Scheffler's social justice remain. The judiciary has shaped the license to life and dignity by constitutionalizing economic rights on the case law by transcendental judicial activism. Looking back in time, the 75 years of constitutional democracy in India paints a complex picture: economic justice has been achieved to a degree in some aspects, but it is a work in progress. The Constitution bolsters the framework of the country, but the attainment of economic justice is visionary and hinges on unrelenting political commitment and responsible governance, along with collective social action to actualize the transformative vision. The founding fathers of India envisioned it to be of the nation.

Keywords: *Economic Justice, Indian Constitution, Directive Principles, Welfare State, Equality.*

Introduction

One of the aims of the Constitution of India is to secure Economic Justice for each of its citizens. Members of the Constituent Assembly, when discussing what the future of India should look like, wished for a future where exploitation, poverty, and inequality did not exist. The Justice in the Preamble is stated as social, economic, and political, which are the two guide principles of the Republic. The emphasis is the political freedom is not sufficient, and in addition, social and economic empowerment also needed to be provided to the masses. Over the last seventy-five years, economic justice has informed the way India has interpreted its Constitution, formulated its public policies, and governed itself.

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How to cite this article:
Shaikh, W., & Dey, S. (2025). Economic Justice in the Indian Constitution: A 75th Year Retrospective. Journal of Research & Development, 17(9(V)), 126–128. https://doi.org/10.5281/zenodo.17679758

Quick Response Code:

Website: https://jrdrvb.org/

DOI: 10.5281/zenodo.17679758

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The Definition of Economic Justice in India

Distributive justice entails treating every individual with fairness and equity in every field and aspect of life, irrespective of caste, class, or sex. Economic justice means income and resources.Beyond income, it embraces equity in education, healthcare, job opportunities, and access to certain basic minimum standards of living. In India, economic justice was viewed as a remedy for the stark inequalities inherited from the colonial rule, the rural abject poverty, landlordism, and the astounding industrial underdevelopment comprising of ecosystemic underdevelopment. In India's case, it was a backlash to the colonial rule. In the closing address to the Constitution Assembly, Dr. B.R. Ambedkar pointed out that democracy must also be economic. If not, the Constitution will be nothing but a visionary document. The Constitution has many provisions aimed at ensuring economic justice. The most important of all are the Directive Principles of State Policy (Part IV) that directs the state to maintain adequate livelihoods, equitable resource distribution, and avoidance of the social concentration of wealth and wealth sharing in the society. Articles 38 and 39 are particularly important as they assign the State the responsibility of minimizing inequalities and ensuring that the ownership and control of resources are for the common good of all. Economic rights are also supported by the fundamental rights. Article 14 provides for the equality of all before the law, while the Article 15 ensures there shall be no discrimination, thus, securing equality of opportunity in all economic activities. The right to earn a livelihood is implied in Article 21 and protected by judicial interpretation. All of them together show the constitutional welfare state and the commitment to distributive justice.

Directive Principles and the Evolution of Welfare Policies

Although the Directive Principles are non-justiciable, the have influenced policy making in a profound way. The land reforms in the 1950s and 1960s were aimed at preventing the concentration of wealth. The nationalization of banks and industries in the 1970s also showed the the state's shift to a socialist orientation. The preamble's 42nd Amendment of 1976 attached the words "socialist" to the state's commitment. Welfare schemes like the Public Distribution System (PDS), rural employment, mid-day meals and other healthcare initiatives have further developed instruments of economic justice. In the 21st century, rights based welfare is exemplified by MGNREGA, the Right to Education Act, and the National Food Security Act which positioned the Directive Principles of State Policy as justiciable rights. These laws represent the increasing constitutionalization of economic justice in the country.

Judicial Interpretations and Economic Rights

The impact of the judiciary in extending the frontiers of economic justice is phenomenal. The judgment in Kesavananda Bharati v. State of Kerala (1973) court case emphasized socioeconomic objectives woven into the Directive Principles as fundamental to the basic structure of the Constitution. In the case of Olga Tellis v. Bombay Municipal Corporation (1985), the Supreme Court held the right to livelihood is part of the right to life, as contained in Article 21 of the Constitution. In the same line of thoughts, courts have also expanded the frontiers of economic justice in cases dealing with bonded labor, the right to a clean and healthy environment, and the rights of workers. Judicial interventions such as, the case of Public Interest Litigations (PILs), have simplified the cases of constitutional violation such as minimum wages, education, and food. In this manner constitutional ideals have been made practical through vigorous judicial activism.

Economic Justice and the Era of Liberalization

The paradigm shift brought by the reforms of 1991 was the commencement of the new epoch in the development history of the country. Many avenues for growth were opened by Liberalization, Privitization and Globalization, however, it also sparked new issues concerning its distributive aspects of growth. Globalization stemmed the growth of the economy, however, it also induced the advancement of the gdp and hence gross inequity of income, regional growth discrepancies, and employment uncertainty. In response, the state adopted a unique hybrid model of market driven policies along with welfare policies like rural employment schemes and Direct Benefit Transfers (DBTs). The argument in this era instead of being about redistribution, was about growth pole inclusion. Each of the marginalized members of the society, especially women, Dalits, Adivasis, and the rural poor, were now the subjects of globalization and it was the responsibility of the state to ensure that they were benefited from it and were protected by affirmative action, welfare policies, and empowerment programs.

Persistence of Economic Justice Challenges

The issues of economic justice are still to be fully-fledged, even with attaining some progress. The issues of unemployment and of the unstable economy due to the distresses caused to agriculture along with the informal economy issues still plague society as a whole. The exceptional wealth owned by a minute section of the society juxtaposed to the misery and deprivation of a larger section of the society is appalling. The absence of the basic resources like health and quality education, the society becomes incapable and deprived. The issues regarding gender-based violence are still prevalent as disparities in wages and employment are starker. The COVID 19 pandemic has highlighted the weak social security systems, especially for many of the migrant workers. While there are promises from the constitution, this has only served to underpin the very basic and foundational policies, which in this case concerning economic justice.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The Way Forward: Reimagining Economic Justice

Seventy-five years after independence and the adoption of constitutional governance, the quest for economic justice requires a renewed focus. The state has to improve welfare delivery, equitable access to growing digital and technological opportunities, and reduce regional developmental imbalances. Economic empowerment at the grassroots level should take advantage of decentralization through Panchayati Raj institutions as proposed in the 73rd Amendment. In addition, economic justice should also consider issues of sustainability and climate change. Resource access needs to be inclusive but should also be aligned with the requirements of the environment in order to achieve inter-generational justice. The social and market equity balance is and should continue to be, the biggest challenge for effective leaders and governance systems.

Conclusion

As seen from a distance over a period of seventy-five years, the journey of economic justice in India has changed from being a Constitutional promise, to a promise in need of continued social struggle, with the ideals enshrined in the Constitution as a legal framework. The Constitution's Preamble along with the Fundamental Rights and the Directive Principles of State Policy have served as the primary legal structure for all successive developments. Numerous legislations, social policies and varying judicial approaches have all aimed to realize these principles. Levels of poverty, inequality and social exclusion still rampant, however, emphasize a Constitution's vision, one that remains to be fully attained. Rather than a goal, economic justice in India is a work in progress, one that is going to take a combination of legal, institutional and social activism to complete. Fulfilling this promise is going to be vital in the years to come, in maintaining the social cohesion of India, along with the promise of the complete and fair society.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Reclaiming The Margins: A Feminist Reading of Dalit Women's Voices in Contemporary Indian Literature

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Manuscript ID:
JRD -2025-170932
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 129-133
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

This research paper explores the intersection of caste and gender through a feminist reading of contemporary Indian Dalit women's literature. By focusing on seminal texts such as Karukku by Bama and The Weave of My Life by Urmila Pawar, the study aims to uncover how Dalit women narrate their lived experiences of marginalization, resistance, and identity formation within a deeply patriarchal and caste-stratified society. Employing intersectional feminist theory and subaltern studies as its critical framework, the paper analyzes narrative voice, linguistic choices, and themes of trauma, silence, and empowerment. Methodologically, the study adopts close textual analysis supported by secondary critical literature to highlight how these autobiographical and semi-autobiographical works resist both upper-caste literary hegemony and mainstream feminist silencing. The findings reveal that Dalit women's literature functions not merely as testimonial writing but as a potent form of social and political assertion. This paper underscores the necessity of acknowledging caste within feminist discourse and argues for the inclusion of Dalit women's narratives in the broader literary canon to truly democratize literary studies and cultural representation.

Keywords: *Dalit Literature, Feminist Criticism, Intersectionality, Marginalized Voices, Subaltern Studies, Indian Women Writers.*

Introduction

The literary canon has long been shaped by dominant voices—male, upper-caste, and privileged—while the experiences of marginalized groups have often been silenced or distorted. In this context, the inclusion and representation of Dalit women's voices in Indian literature signify not only a literary expansion but also a socio-political intervention. Marginalized voices, particularly those at the intersection of caste and gender, challenge hegemonic structures and offer alternative narratives that confront historical injustices and demand recognition. Literature becomes a site of resistance, a space where the silenced reclaim their agency through storytelling. The rise of Dalit women's narratives in Indian English literature marks a significant turn in contemporary literary studies. Authors such as Bama (2000), Urmila Pawar (2008), and Baby Kamble (2008) have emerged as powerful voices who articulate the double oppression faced by Dalit women—first by a caste-based social order and second by patriarchal systems, often even within their own communities. These narratives are not merely personal accounts but serve as socio-political commentaries, addressing the systemic exclusion of Dalit women from mainstream discourse and emphasizing the need for an intersectional approach in both literature and activism. Feminist theory provides a critical framework for understanding the gendered dimensions of oppression, but it has often been critiqued for its upper-caste, upper-class bias in the Indian context. Intersectionality, as conceptualized by Kimberlé Crenshaw (1989),

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How to cite this article:
Jagtap, V. R., & Gadekar, S. N. (2025). Reclaiming The Margins: A Feminist Reading of Dalit Women's Voices in Contemporary Indian Literature. Journal of Research & Development, 17(9(V)), 129–133. https://doi.org/10.5281/zenodo.17679870

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17679870

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Offers a more nuanced analytical lens that recognizes how various forms of social stratification—such as caste, gender, and class—interact to create compounded layers of discrimination. By applying intersectional feminism to Dalit women's writing, this paper attempts to understand how these authors assert their identities and narrate resistance from the margins.The objective of this paper is to conduct a feminist reading of selected works by Dalit women writers, specifically Karukku by Bama and The Weave of My Life by Urmila Pawar, to examine how literature serves as a medium of self-expression, political assertion, and cultural resistance. The study seeks to highlight the importance of including marginalized voices in literary studies and aims to contribute to the ongoing discourse on caste, gender, and representation in Indian literature.

Review of Literature

A robust understanding of feminist literary criticism and Dalit autobiographical writing is essential for examining the intersection of caste and gender in Indian literature. This section outlines foundational theories in feminist criticism, key contributions to Dalit literature, and the evolving discourse on caste and gender in literary representation.

1 Feminist Literary Criticism

Feminist literary criticism emerged as a response to the patriarchal biases inherent in traditional literary analysis. It challenges the male-centric canon and interrogates the representation of women in literature. Elaine Showalter's seminal work A Literature of Their Own (1977) proposed a historical framework for women's writing, identifying three phases—feminine, feminist, and female. Showalter advocated for "gynocriticism," a method of analyzing women's writing independent of male-dominated frameworks, which laid the groundwork for inclusive literary analysis (Showalter, 1977). Building upon such Western feminist frameworks, Kimberlé Crenshaw introduced the concept of intersectionality, critiquing the homogeneity often assumed in feminist discourse. She argued that women's experiences cannot be understood through gender alone but must be analyzed alongside race, class, and other identities (Crenshaw, 1989). In the Indian context, intersectionality becomes indispensable for analyzing Dalit women's literature, as their narratives are shaped not only by patriarchy but also by caste-based exclusion.

2 Dalit Literature and Autobiographies

Dalit literature in India emerged as a revolutionary literary movement in the post-1960s period, marked by autobiographical narratives that reflect lived experiences of untouchability, humiliation, and resistance. Dalit autobiographies reject the aestheticism of mainstream literature and prioritize truth-telling and testimonial modes of narration. Sharan Kumar Limbale's Towards an Aesthetic of Dalit Literature (2004) stresses that Dalit literature is born out of pain and social injustice, and must be evaluated through its political, rather than purely artistic, value. Women's voices in Dalit literature have added a critical dimension to this movement. Works such as Bama's Karukku (2000), Baby Kamble's The Prisons We Broke (2008), and Urmila Pawar's The Weave of My Life (2008) foreground the dual oppression of Dalit women and present a unique autobiographical style that blends personal, communal, and political narratives. These texts disrupt dominant historiographies and challenge both Brahminical patriarchy and upper-caste feminism.

3 Caste and Gender Dynamics in Literary Representation

Scholars such as Gopal Guru and Sharmila Rege have emphasized that the intersection of caste and gender requires a distinct analytical framework. Guru (1995) warns against tokenistic inclusion of Dalit women's voices and calls for epistemic equality. Rege (2006), in her work Writing Caste/Writing Gender, asserts that Dalit women's autobiographies function as "testimonios" that contest not only caste hegemony but also the silencing by mainstream feminist and literary discourses. Rege also critiques the elitism embedded in upper-caste feminism, advocating for a feminism that is responsive to caste-based exclusions. This scholarship validates Dalit women's literature as both a literary and political act of resistance, where self-narration becomes a mode of reclaiming identity and rewriting history.

Collectively, these key works form the critical foundation of this research, which seeks to analyze Dalit women's narratives through the dual lens of feminist theory and intersectionality, acknowledging the complexities of caste, gender, and power in shaping literary production and reception.

Theoretical Framework

The theoretical foundation of this paper is informed by three critical frameworks: feminist literary criticism, intersectionality, and subaltern studies. These approaches collectively allow for a nuanced analysis of Dalit women's narratives, enabling an exploration of how caste, gender, and power are articulated and contested in their autobiographical writings.

1 Feminist Literary Criticism

Feminist literary criticism emerged in the 1960s and 1970s as a response to the male-centric orientation of literary analysis and canons. It interrogates how literature perpetuates gender roles and often marginalizes women's voices. Elaine Showalter, one of the pioneers of feminist criticism, outlined the development of a women's literary tradition and introduced the concept of "gynocriticism," which focuses on women as writers, producers of meaning, and subjects in their own right (Showalter, 1977). This approach emphasizes the need to recover women's texts, understand their lived experiences, and resist the patriarchal structures embedded in literature and literary criticism. In

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

the context of Dalit women's writing, however, mainstream feminist criticism has been critiqued for its lack of attention to caste. Scholars like Sharmila Rege (2006) have argued that upper-caste feminism often fails to address the specific socio-political realities of Dalit women, who face intersectional oppression. Hence, feminist criticism must be extended through the lens of caste-aware analysis to meaningfully engage with Dalit narratives.

2 Intersectionality

Intersectionality, a term coined by African-American legal scholar Kimberlé Crenshaw (1989), refers to the interconnected nature of social categorizations such as race, gender, and class, which together create overlapping systems of discrimination and disadvantage. Crenshaw's critique of the single-axis framework in feminist and antiracist discourse is particularly relevant in understanding Dalit women's oppression, which is shaped by both caste and gender hierarchies.

Dalit women's autobiographies such as Karukku by Bama and The Weave of My Life by Urmila Pawar exemplify the need for intersectional analysis. These texts reveal that caste-based discrimination is experienced differently by women than men, and that gender-based violence is compounded by the structural oppression of caste. Intersectionality enables the recognition of these unique experiences and validates the complexity of Dalit women's identities, which are otherwise erased in singular frameworks of either feminism or caste critique.

3 Subaltern Studies

The Subaltern Studies collective emerged in the 1980s with the aim of recovering the voices and agency of marginalized groups who had been excluded from dominant historical narratives. Founded by scholars such as Ranajit Guha, the movement sought to revise colonial and elitist historiographies by foregrounding the role of the "subaltern"—a term borrowed from Antonio Gramsci to denote the socially, politically, and geographically disenfranchised (Guha, 1982). Gayatri Chakravorty Spivak, in her influential essay "Can the Subaltern Speak?" (1988), raised critical questions about whether the subaltern can truly represent herself within the dominant discursive structures. Spivak argued that even well-intentioned efforts to recover subaltern voices may end up re-inscribing hegemonic frameworks. However, Dalit women's narratives challenge this pessimism by carving out spaces for agency and self-representation. Through autobiographical writing, they claim narrative authority and articulate a counter-history that confronts both Brahminical patriarchy and elite feminist exclusions. Subaltern studies, therefore, complements intersectionality and feminist criticism in this research by offering a methodological lens through which Dalit women's voices can be seen not merely as testimonies of suffering, but as political interventions that disrupt established epistemologies.

Textual Analysis

This section presents a close reading of two significant Dalit autobiographical texts—Karukku by Bama and The Weave of My Life by Urmila Pawar—through the lens of feminist, intersectional, and subaltern perspectives. These texts are powerful testimonies that foreground the lived experiences of Dalit women, unveiling the entanglements of caste, gender, and power in everyday life. Their autobiographical mode allows for the reclamation of agency through narrative resistance, even as they interrogate silence, speech, and structural violence.

1 Lived Experience of Caste and Patriarchy

In Karukku (2000), Bama reflects on her childhood and adult life as a Dalit Christian woman in Tamil Nadu. The narrative is deeply rooted in her experiences of untouchability and systemic discrimination, both in the public and private domains. Despite her conversion to Christianity, Bama reveals that caste hierarchies persist within religious institutions, often masquerading as moral authority. Her lived reality includes being humiliated for her social identity, denied access to education and dignity, and silenced in both church and society. Similarly, Urmila Pawar's The Weave of My Life (2008) offers an autobiographical account of growing up in a Dalit Buddhist household in Maharashtra. Pawar's narrative traverses various stages of her life—from childhood in a Konkan village to her intellectual and activist engagement in urban spaces. She critically documents the ways in which caste and patriarchy intersect, particularly within her family and community. Even within Dalit activism, she notes how male leaders often marginalized women's issues, underscoring the double exclusion faced by Dalit women. These narratives disrupt the notion that caste oppression is solely external and highlight how it operates through deeply ingrained social and familial structures. Both writers underscore the psychological trauma of exclusion, the internalization of inferiority, and the efforts to resist these through education and political consciousness.

2 Resistance through Narrative

Both Karukku and The Weave of My Life exemplify how writing becomes a tool of resistance. Bama's decision to write in Tamil and her stylistic choice of using fragmented, non-linear narrative reflects a conscious break from dominant literary aesthetics. Her writing style defies conventional literary form, mirroring the ruptures and tensions in her life. She writes not for literary acclaim, but to voice what has long been silenced: "Writing Karukku was a cathartic act; it was the scream of a wounded being" (Bama, 2000, p. xii). Pawar, on the other hand, employs a weaving metaphor to structure her life narrative. She brings together personal memories, community histories, and feminist reflections, effectively challenging the monolithic representation of Dalit identity. Her narrative not only

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

reclaims space in the public discourse but also documents the critical contributions of Dalit women to socio-political movements. Resistance, in her work, is not only outward but also inward—reflected in her insistence on self-reflection and transformation. Both texts resist victimhood narratives. Instead, they celebrate resilience and collective strength. In narrating their pain, these writers do not seek sympathy but justice and visibility. Their life stories become political acts, reclaiming dignity and reimagining futures beyond structural constraints.

3 Language, Silence, and Agency

Language plays a vital role in both texts—not only as a medium of expression but also as a site of contestation. Bama deliberately writes in colloquial Tamil to maintain the authenticity of her lived experience and to democratize literature. Her use of oral idioms and village slang destabilizes the elitist norms of Tamil literary tradition and asserts the legitimacy of subaltern expression. The rawness of her language reflects the rawness of her wounds, emphasizing that language is both a burden and a weapon. Pawar, writing in Marathi and translated into English, navigates the tension between silence and speech. She describes how women in her family were taught to endure suffering in silence—a form of gendered socialization common in many Dalit households. However, Pawar turns silence into a source of strength by breaking it through writing. Her memoirs speak for generations of women who lacked the means or social permission to voice their struggles. In both cases, the act of narrating the self is simultaneously an act of resistance. The silences that were imposed upon them—by caste, patriarchy, and social norms—are shattered through narrative agency. These texts offer a powerful commentary on how Dalit women reclaim their subjectivity through storytelling, writing themselves into a history that has long ignored them.

Discussion

Dalit women's autobiographical writings are not simply narratives of personal suffering; they function as critical interventions that challenge and resist oppressive social structures. Through their literary acts, Dalit women reconfigure the boundaries of literature, reclaim agency, and assert their rightful place in India's cultural and intellectual discourse. This section discusses how literature becomes a vehicle of resistance, how language and form are strategically employed to subvert hegemonic narratives, and how these contributions enrich feminist and postcolonial critical frameworks.

1 Literature as Resistance

Dalit women's writings such as *Karukku* and *The Weave of My Life* embody what Sharmila Rege (2006) calls "testimonio" literature—texts that blend personal experience with collective memory to resist both casteist and patriarchal oppression. These works challenge the literary tradition that has long excluded or misrepresented subaltern women. By voicing experiences that are historically silenced—untouchability, caste-based discrimination, sexual violence, and domestic subjugation—Dalit women reclaim literature as a political act. The act of writing itself becomes a form of resistance. As Bama notes, her decision to write about her life was driven by a need to expose the systemic injustices faced by Dalit women and to assert that their experiences matter (Bama, 2000). Literature, in this context, serves not only as expression but as activism—a space where wounds are laid bare and where silence is transformed into speech. The narratives directly confront and dismantle structures of Brahminical patriarchy, demonstrating that resistance need not always be physical; it can be textual, discursive, and deeply transformative.

2 Role of Language and Narrative Form in Subversion

Language and narrative style in Dalit women's writing are consciously employed to subvert the elitist, upper-caste dominance of mainstream Indian literature. Bama's decision to write *Karukku* in colloquial Tamil, using village dialects and oral storytelling techniques, directly opposes the sanitized, standardized literary norms that have historically excluded subaltern voices. Her language is raw, rhythmic, and intensely local—thus disrupting the aesthetics of upper-caste literary consumption and affirming the validity of Dalit expression. Similarly, Urmila Pawar uses a "weaving" metaphor in *The Weave of My Life* to construct a non-linear, multi-voiced narrative that defies traditional autobiographical structures. Her memoir incorporates personal memories, community histories, activist experiences, and feminist reflections. This fragmented, layered style resists the idea of a singular, unified self and instead reflects the complexities of being a Dalit woman negotiating caste and gender in various socio-political contexts (Pawar, 2008). By refusing dominant literary forms and languages, Dalit women authors assert control over the means of storytelling. Their texts become counter-narratives that question not only what is told but how it is told, thereby unsettling the very foundation of caste and gender hierarchies in literary production.

3 Contribution to Feminist and Postcolonial Discourse

Dalit women's literature adds a crucial, often overlooked dimension to both feminist and postcolonial discourse. Mainstream Indian feminism, historically dominated by upper-caste, urban women, has frequently been critiqued for its failure to engage with the specificities of caste oppression (Rege, 2006). The narratives of Bama and Pawar force feminist scholars to reckon with these limitations and to adopt an intersectional approach that considers the interplay of caste, class, and gender. From a postcolonial perspective, Dalit women's writing resists both colonial and nationalist appropriations of identity. While postcolonial literature often critiques Western imperialism, it has sometimes glossed over internal systems of oppression such as caste. Dalit women's voices compel postcolonial

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

criticism to expand its scope, recognizing that decolonization must also address the hierarchies within postcolonial nations. Furthermore, these texts offer an epistemological challenge to dominant frameworks of knowledge and history. By prioritizing lived experience, oral traditions, and collective memory, Dalit women's literature asserts that knowledge does not solely reside in academic institutions but also in the everyday lives of marginalized people. Their contributions demand a redefinition of literary value, not based on elite aesthetics but on social relevance and truth-telling.

Conclusion

The autobiographical writings of Dalit women such as *Karukku* by Bama and *The Weave of My Life* by Urmila Pawar constitute more than personal narratives—they are radical acts of reclaiming history, voice, and identity. These texts foreground the lived experiences of caste and gender oppression, challenge dominant literary norms, and offer potent testimonies of resistance. In doing so, they compel readers and scholars alike to confront uncomfortable truths about systemic inequalities deeply embedded in Indian society and culture. Centering Dalit women's voices in literary discourse is not merely a matter of inclusion—it is a necessary correction to the silences and erasures perpetuated by both mainstream literary traditions and elite feminist frameworks. Dalit women's literature challenges the complacency of upper-caste narratives and exposes the limitations of single-axis critiques. Their voices offer complex, intersectional insights that enrich both feminist theory and postcolonial studies, calling for a reevaluation of what constitutes "literature" and "authorship." To truly democratize literary studies, there is an urgent need to expand the literary canon to include voices from the margins—voices that speak in diverse languages, dialects, and forms. Recognizing the literary merit and socio-political significance of Dalit women's texts will foster a more inclusive and equitable academic space, one that values experiential knowledge alongside traditional scholarship. Moreover, this paper underscores the vast potential for future research in the domains of regional and translated Dalit literatures. While English translations have made select Dalit women's writings accessible to broader audiences, many powerful narratives remain confined to regional languages. Scholarly attention to these untranslated or lesser-known works—especially from states like Bihar, Odisha, Uttar Pradesh, and Karnataka—could further illuminate the rich tapestry of Dalit feminist expression across linguistic and cultural boundaries. In conclusion, reclaiming the margins is not merely a literary project—it is a socio-political imperative. Dalit women's narratives are not just stories to be read but voices to be heard, respected, and centered in any conversation about justice, equity, and literary truth.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Click Smart, Stay Safe: Cyber Crime Awareness across Gender and Course Streams

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Manuscript ID:
JRD -2025-170933
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 134-138
Sept. 2025

Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The study investigates cyber-crime awareness among college students by examining differences across gender (male and female) and course streams (vocational and non-vocational). A cross-sectional quantitative research design was used, and data was collected from 120 randomly selected students from Sangli and Kolhapur districts using the Cyber Crime Awareness Scale (Rajasekar, 2019). Results from a Two-Way ANOVA revealed that course stream had a significant impact on awareness levels, with vocational students demonstrating higher cyber-crime awareness than their non-vocational counterparts. However, no significant difference was observed between male and female students, nor was there any significant interaction effect between gender and course stream. The findings suggest that academic stream contributes substantially to cyber safety knowledge, emphasizing the need to incorporate structured cyber security education in non-vocational programs to strengthen students' preparedness against online threats.

Keywords: *Cyber-crime awareness, gender, vocational students, non-vocational students.*

Introduction

In today's digital era, the internet has become an integral part of everyday life, shaping the way individuals communicate, learn, and work. While technology provides immense benefits, it has also given rise to various forms of cyber-crime such as identity theft, phishing, online fraud, cyberbullying, hacking, and misuse of personal data. With the increasing dependence on digital platforms, awareness about cyber-crime has become a crucial skill, especially for students who are active users of technology for academic, professional, and personal purposes. Cyber-crime awareness refers to an individual's understanding of potential online threats, preventive measures, safe practices, and legal consequences associated with cyber offenses. The level of awareness often varies across demographic groups, including gender, educational background, and the type of courses pursued. Students enrolled in vocational courses are usually oriented towards skill-based, technology-driven training, whereas students from non-vocational courses often focus on theoretical and academic learning. These different educational contexts may influence their exposure to and knowledge of cyber safety practices. Gender also plays a significant role in shaping awareness and experiences related to cyber-crime. Studies suggest that female students are more vulnerable to certain online threats, such as harassment or privacy violations, whereas male students may encounter risks like gaming-related fraud or hacking activities. Thus, analysing gender differences in cyber-crime awareness can help in designing targeted educational interventions to promote online safety. Given this background, the present study aims to investigate the level of cyber-crime awareness among vocational and non-vocational course students, with a specific focus on gender differences. It seeks to explore whether significant differences exist in the awareness levels of male and female students across these educational streams. The findings of this research will contribute to a better understanding of students' preparedness against online threats and highlight the need for integrating cyber safety education into both vocational and non-vocational curricula.

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How to cite this article:
Naragachche, P. S., & Malik, M. A. (2025). Click Smart, Stay Safe: Cyber Crime Awareness across Gender and Course Streams. Journal of Research & Development, 17(9(V)), 134–138. https://doi.org/10.5281/zenodo.17679929

Quick Response Code:

Website:
https://jrdrvb.org/

DOI:
10.5281/zenodo.17679929

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Objective:
The present study aimed to examine the level of cyber-crime awareness among college students with respect to gender (male and female) and course stream (vocational and non-vocational).

Design:
A cross-sectional, quantitative research design was employed.

Methods:
A total of 120 students from Sangli and Kolhapur districts were selected using a simple random sampling method, ensuring equal representation of gender and course stream. The Cyber Crime Awareness Scale (Rajasekar, 2019) was administered for data collection. A Two-Way ANOVA was applied to analyze the differences across groups.

Results:
Findings indicated that course stream had a significant effect on cyber-crime awareness, with vocational course students reporting higher awareness levels compared to their non-vocational counterparts. No significant difference was found between male and female students, and the interaction effect of gender × course was also non-significant.

Review of Literature

Sharma and Gupta (2022) conducted a study on cyber-crime awareness among college students in urban and rural areas. The results revealed that students possessed only moderate awareness about safe internet practices, with male students reporting higher confidence in handling online threats, while female students expressed more concerns about privacy and security issues. Patil (2021) explored the differences in cyber safety awareness between vocational and non-vocational students. Findings indicated that vocational students, being more exposed to digital and technical training, demonstrated comparatively better awareness of phishing, malware, and online fraud. In contrast, non-vocational students showed limited knowledge of cyber laws and preventive measures. Kumar and Singh (2020) examined gender differences in cyber-crime vulnerability and awareness. The study revealed that female students were more frequently victims of cyber harassment, identity theft, and privacy violations, whereas male students reported higher exposure to gaming fraud and hacking-related threats. The research concluded that awareness programs must be gender-sensitive and tailored to the different risks faced by male and female students. Rao and Thomas (2019) investigated cyber-crime awareness levels among higher education students across different academic streams. The results suggested that science and technology students had relatively higher awareness compared to students in humanities and commerce streams. The study emphasized the need for integrating cyber safety modules in all academic courses to ensure holistic awareness. Mishra (2018) studied the role of digital literacy in enhancing cyber-crime awareness among adolescents. It was found that students with prior exposure to ICT training displayed better knowledge of password safety, data protection, and cyber laws. However, lack of structured awareness programs in schools and colleges contributed to gaps in students' preparedness against online threats.

Aims and significance of this study

The present study aims to investigate and compare the level of cyber-crime awareness among college students with respect to gender (male and female) and course streams (vocational and non-vocational). Specifically, the study seeks to determine whether differences exist between these groups and to examine the combined effect of gender and course stream on cyber-crime awareness. In an era where digital interactions and online platforms form an integral part of academic and personal life, awareness of cyber-crime has become crucial for students' safety and well-being. This study is significant as it provides insights into how educational background (vocational vs. non-vocational) and gender may influence levels of cyber-crime awareness. Identifying such variations is essential for educators, counsellors, and policymakers to design targeted awareness programs and interventions. The findings will contribute to strengthening students' preparedness against online threats and promoting responsible internet practices. Furthermore, the results may guide the integration of structured cyber safety education into non-vocational curricula, thereby bridging the awareness gap across academic domains. Overall, the study underscores the importance of equipping all students with the necessary knowledge and skills to navigate the digital environment safely.

Methods

Measures

The Cyber Crime Awareness Scale, developed and standardized by Dr. S. Rajasekar (2019), was employed to assess students' awareness of cyber-crime. The scale measures the extent of knowledge, understanding, and alertness regarding online threats such as hacking, phishing, identity theft, cyberbullying, and online fraud, along with awareness of preventive measures for safe internet practices. In addition, a brief demographic form was administered to collect background information including age, gender, area of residence (urban/rural), and academic details.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Sample

The study was conducted among college students from Sangli and Kolhapur districts. A total of 120 students participated in the research, comprising 60 students from vocational courses and 60 students from non-vocational courses. Equal representation of male and female students was ensured across both course streams. Participants were selected through a simple random sampling technique to minimize selection bias.

Procedure

The research adopted a mixed-method design, with primary emphasis on quantitative analysis to examine group differences in cyber-crime awareness. After obtaining informed consent, the questionnaire packets were distributed and completed in offline mode. Each participant filled in the demographic sheet followed by the awareness scale in a single sitting under the supervision of the researcher. Anonymity and confidentiality of responses were assured, and students were instructed to provide honest and independent answers without external assistance.

Operational Definitions

1. Cyber-crime Awareness – Refers to the level of knowledge, understanding, and awareness of students regarding cyber threats (hacking, phishing, identity theft, cyberbullying, and online fraud) and strategies for safe internet use.
2. Vocational Course Students – Students pursuing skill-based or professional programs such as engineering, IT, electronics, medical sciences, fashion design, or management, with emphasis on practical applications and employability.
3. Non-Vocational Course Students – Students pursuing general academic disciplines such as arts, commerce, humanities, or pure sciences, where theoretical learning predominates over skill-based training.
4. Gender – Defined in this study as the self-reported category of participants, either male or female.

Variables

Independent Variables

Gender (Male and Female)
Course Stream (Vocational and Non-Vocational)

Dependent Variable

Cyber-crime Awareness, as measured by the Cyber Crime Awareness Scale (Rajasekar, 2019).

Results and Discussion

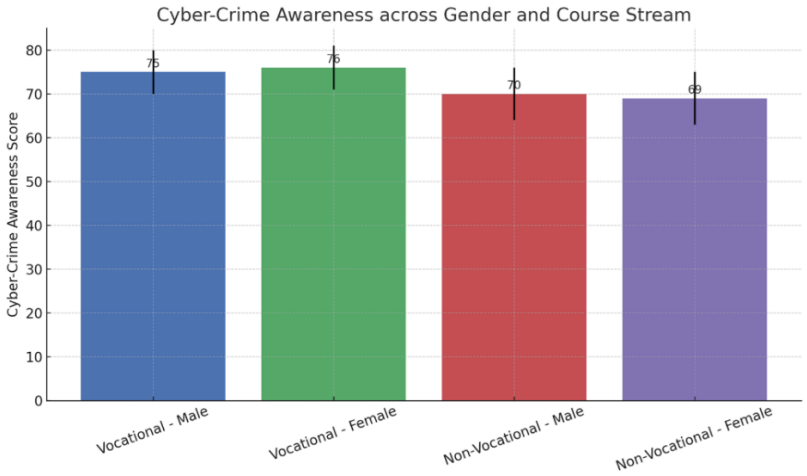
A Two-Way ANOVA was conducted to examine the effects of gender (male, female) and course stream (vocational, non-vocational) on students' cyber-crime awareness scores. The results are presented in Table 1 and graphical presentation in Figure1.

Table 1. Two-Way ANOVA Results for Cyber-Crime Awareness

Source of Variation	Sum of Squares (SS)	df	Mean Square (MS)	F-value	p-value
Gender	66.01	1	66.01	0.27	0.604
Course Stream	1184.41	1	1184.41	4.86	**0.029**
Gender × Course	35.21	1	35.21	0.14	0.705
Residual (Error)	28275.37	116	243.75	-	-
Total	29560.99	119	-	-	-

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Figure 1. Graph comparing cyber-crime awareness across gender and course streams**.**



Main Effect of Gender

Table 1 and figure 1 shows, the effect of gender on cyber-crime awareness was not significant ($F = 0.27$, $p = 0.604$). This indicates that male and female students do not differ significantly in their level of cyber-crime awareness. Hence, the hypothesis that "there will be a significant difference in awareness between male and female students" is rejected.

Main Effect of Course Stream

The effect of course stream was found to be significant ($F = 4.86$, $p = 0.029$). Students from vocational courses showed higher cyber-crime awareness compared to those from non-vocational courses. This supports the hypothesis that course stream influences cyber-crime awareness.

Interaction Effect (Gender × Course)

The interaction between gender and course stream was not significant ($F = 0.14$, $p = 0.705$). This suggests that the influence of course stream on cyber-crime awareness does not depend on gender. Both male and female students within the same stream showed comparable levels of awareness.

Conclusion

The present study investigated cyber-crime awareness among college students with respect to gender and course stream. The findings revealed that course stream plays a significant role in determining students' awareness of cyber-crime, with vocational students reporting higher levels of awareness compared to their non-vocational counterparts. In contrast, gender was not found to have a significant effect, and the interaction between gender and course stream was also non-significant.

These results highlight the importance of educational background in shaping students' preparedness against online threats. While vocational students appear better equipped, the relatively lower awareness among non-vocational students emphasizes the urgent need to integrate structured cyber safety education into their curricula. Doing so would help bridge the gap in awareness and ensure that all students, irrespective of their academic stream, are equipped with the knowledge and skills to safeguard themselves in the digital environment.

Future research could extend these findings by including larger and more diverse samples across different regions and academic disciplines. It would also be valuable to explore additional factors such as socioeconomic background, digital literacy levels, and access to technology that may influence cyber-crime awareness. Such insights would contribute to the development of targeted awareness programs and preventive strategies, ultimately promoting safer and more responsible internet practices among the student population.

Acknowledgements

The researcher sincerely thanks all the students who participated in this study, as well as the faculty members who supported the process of data collection.

Contributorship

The author made substantive contributions to the conceptualization, design, data collection, statistical analysis, and preparation of the manuscript. The author endorses the conclusions and approves the final version of this research paper.

Declaration of Conflicting Interests

The author declares no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Ethical Approval

Ethical approval for conducting this study was obtained from the concerned institutional authority. Participation was voluntary, and informed consent was obtained from all participants. Anonymity and confidentiality of responses were assured.

Funding

The author did not receive any financial support for the research, authorship, or publication of this article.

Conclusion:

The results suggest that educational stream plays a substantial role in shaping cyber-crime awareness, whereas gender does not contribute significantly. These findings highlight the importance of incorporating structured cyber safety education in non-vocational curricula to bridge the awareness gap and foster safe internet practices across all academic domains.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Understanding the Psychology of the Effectiveness of Social Advertisement Campaign for a Positive Social change

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Manuscript ID:
JRD -2025-170934
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 139-141
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract:

India is currently running a number of social advertisement campaigns which are government initiatives and also on concerning areas for the societal improvement. The objective here is to bring out the effectiveness into the limelight through various aspects like awareness, perception, attitude, emotions which are the variants of psychology. Social media offers a cost effective platforms where such effectiveness is shown through the appeals. The appeals are in the two forms the emotional appeal and rational appeal. The facts provided here helps in bringing out for a positive social change that includes an attitude formation to attitude change and to have a positive social cognition.

Keywords: *Social advertisement campaigns, Emotional appeals, rational appeals, attitude change.*

Introduction:

According to Wheeler, "Advertising" is any shape or sort of paid or premium non-individual presentation of merchandise, administrations and thoughts with the end goal of drafting individuals to purchase" Advertising is the messages paid for by the individuals who need to advance, convince, or advise the recipient about the items or administrations. The mediums utilized are television, print media (daily paper, diaries, magazines et cetera), radio, squeeze, net, coordinate offering, boards, mailers, challenges, sponsorships, crusades, individuals, articles of clothing, tints, sounds and visuals.

Social Advertising is not for the most part utilized for business showcasing purposes, yet rather for social advantage. Social advertising has two parent hypotheses to bolster itself with the end goal that – "a social parent" where sociology and social strategy methodologies is stressed upon and the second is "Showcasing guardian" that incorporates business and open part promoting approaches.Social advertising is moreover, being investigated as a method for social development, its gem rectifier to broaden obvious essentially based practices among associations and is at present center's ability for open part directors.

The possibility of advancement and promotion is experiencing a change in India. Commercials in any sort have started to assume an impressive part in ensuring the stock with the goal that it achieves its objective. Promotions have turned into a fundamental piece of our life. Social advertising is the advertising-intended to inform, aware, educate or stimulate the target audience about social cause or issue for the betterment of society. Social Advertising is mostly undertaken by non-profit organizations such as Government, Foundations, Associations etc.

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How to cite this article:
Kekade, S. S., & Jogdand, A. (2025). Understanding the Psychology of the Effectiveness of Social Advertisement Campaign for a Positive Social change. Journal of Research & Development, 17(9(V)), 139–141. https://doi.org/10.5281/zenodo.17679998

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17679998

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The main objective or the goal of social advertising is to primarily focus and engage in social cause. For example, advertisements are done to promote donations for war victims or for victims which are affected by natural calamities, or for spreading awareness etc.There are wide ranges of social problems in every human

Human society, poverty, female foeticide, and killing of the girl child, animal cruelty and many more. Social advertising isn't tied in with offering a prompt arrangement, however to attract somebody's regard for the issue. There are a ton of issues which are not seen, and individuals know nothing about them. The objective of social promotion is to pass on the message, so that the beneficiary understands his obligation towards the society. Social advertisements can't be comprehended as a liberality of imaginative individuals from one viewpoint, and as a chance to demonstrate their inventiveness then again.The primary objective of social advertisement is to change the target audience's behavior. So to change the behavioral aspect of the target audience a thorough understanding of a person's awareness level, his or her perception and attitude towards the various social marketing campaigns should be understood. The expected changes in the target audience after getting exposed to the various social advertisements generally occurs at the end of a series of intermediate stages such as change in population's information, knowledge, perception, etc. But surprisingly, it has been observed that most of the social campaigns have had a Minute effect in fighting those social causes. Therefore effort has been initiated through this research article to explore the awareness, perception and effectiveness of social advertisements in every individuals and how psychological variants comes into such change.

Emotional and Rational appeal:

The appeal which leverages feelings and emotions like happiness, fear, love, nostalgia, empathy to create a strong bond, personal connection through using various techniques like storytelling, music, vivid imagery. The connection is brought by aiming the logical part of the brain. Some negative emotions are also revealed and highlighted such as sadness, guilt, anger and fear.

Let's see how does positive and negative emotions helps in bringing the change.

Positive Emotions:

Happiness/Joy: it creates a sense of positive and connection.

Nostalgia: it helps to Evokes comforting, familiar feelings from the past.

Inspiration: it encourages people to pursue dreams and overcome challenges.

Love/connection: it highlights heartwarming stories of empathy and shared moments.

Negative Emotions:

Fear: it highlights risks or consequences to motive action.

Sadness: it appeals to empathy to inspire action, often for social causes.

Anger: it taps into frustrations or injustices to motivate a stand or support for a cause.

Guilt: it can be used to highlight the importance and appeal of how the things haven been affecting negatively.

Rational Appeal:

A rational appeal uses its facts, reasoning to focus on the message of practical things, its value and the basic and its fundamental needs by presenting value aided data, statistics and comparisions.

Let's see its fundamental key characteristics:

Emphasis on facts and data:

Use of statistics and measurable results helps to claim and give a proper social direction.

Objective information:

The goal of the social advertising is to provide the information with clear, undeniable facts so to help people under the true meaning of the explanation mentioned in the advertisement.

Aiming for practical needs:

It helps to know the practical requirements and make a sensibile decision and choices.

Attitude Change:

In general attitudes are learned through one's own experiences and through interaction with others. Some social psychologist have focused on the conditions which lead to the learning attitudes. Like learning attitude by association, by being rewarded or punished, learning attitude through modelling and learning through exposure to information. While we talk about attitude change it basically forms or rather gets influenced with the factors like

1. Family and the environment around us
2. Reference groups which indicate to an individual the norms regarding acceptable behaviour and ways of thinking
3. Personal experience which bring about drastic change in our attitude towards people and our own life.

The attitude change happens when we balance our attitude from negative to positive direction which was proposed by Fritz Heider. The concept cognitive dissonance given by Leon Festinger which emphasis es the cognitive component which says the logic of the attitude should be logically in line with each other for example

Cognition 1: Pan Masala causes mouth cancer

Cognition 2: I eat pan masala

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Holding this two ideas or cognition an individual feel that something is out of the tune. therefore here-the ideas will change to I will eat pan masala so this will be healthy, logical and sensible way of changing the attitude towards it.

The two step concept was proposed by S.M Mohsin an Indian psychologist, according to him attitude change takes place in the form of two steps. In first step, the target of change identifies with the source. The target is the person whose attitude is to be changed. The source is the person through whose influence the change is to take place. Identification means that the target has liking and regard for the source .There should be positive attitude towards the target and the attraction becomes mutual. Observing the source's changed attitude and behaviour the target also shows an attitude change through behaviour. This kind of imitation or observational learning.

The Rationality

In India, primarily the government has taken many initiatives to discover the possible impact of social advertising. Many promotional advertisements are being run on radio and Tv. All the government and other organizations are trying to handle some serious social issues like 'Pulse Polio', 'Family Planning', 'Save the Girl Child' etc. through social advertising and social marketing campaigns. However, it has been observed that the best efforts of the government agencies the social advertisements campaigns are trying to be effective. Awareness throws light on the knowledge about social advertisements, perception talks about social issues favored by people and reasons for those issues to get preference. Effectiveness and attraction will guide the ad makers and other agencies involved in social marketing how to use awareness and attraction to make advertisements more influential and effective. The litmus test of any social advertising, advertisement is its ability to initiate people into something new i.e. to bring about perceptual and behavioral change which has been also studied in detail. There are few studies regarding social advertisements and social marketing campaigns in India. The advertisement brands like Dove is bringing change for body shaming, Aerial brand is focusing on gender equality for sharing the equal load
Surf excel is promoting for respect and gratitude for every religion and bringing the closeness and brotherhood among each other and many more.

Conclusion:

To whole and sole we are here to say even though government is taking initiative to bring up the change with the help of social advetisements there is a hope as well as a room for improvement. Were in the 21st centutury and juggling with certain areas of concern. Things take time to change even though gradually through the various modes of spreading the message adding the appropirate appeal that influence audience social behaviour which brings out a social change to bring out world as a better place for living and accepted by all the means. Normalizing, changing, accepting without any prejudices and stereotypes that's what all needed to bring out the social change among the people we live.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Women's Well-being through Indian Constitution: A Review

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Manuscript ID:
JRD -2025-170935
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 142-145
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract:

This research paper examines how the Indian Constitution has played a positive role in the welfare of women and assesses the gap between the law and the actual situation. The Indian Constitution, which came into force in 1950, provides a strong basis for women's rights through fundamental rights (Articles 14-16), state policy directions (Articles 39(a), 39(d), 42) and affirmative action (Article 15(3)). Although the progressive guarantees of the constitution are in place, there are still significant loopholes in their implementation, which weaken the process of converting legal entitlements into actual improvements in the lives of women The paper examines how socio-cultural, bureaucratic mindsets, and resource constraints still hinder the effective implementation of women's laws. It also reviews how rural, marginalized, and economically disadvantaged women face enormous disadvantages in accessing constitutional assistance and welfare benefits. The study concludes that although the Constitution of India has a progressive vision of gender justice, it needs greater empowerment of the implementation structures, better inter-institutional coordination, and long-term socio-cultural change efforts to make it a transformative vision of gender justice in India. Research suggests practical suggestions on how to bring the constitutional principles into alignment with the realities of daily life, and the primary suggestions should include the simplification of the administrative processes, effective monitoring mechanisms, and purposeful collaborations between formal institutions and community-based organizations to provide substantive women's empowerment and welfare.

KeyWords: *The Indian Constitution, Women's Well-being.*

Introduction:

The well-being of women is a multi-dimensional concept that includes physical, economic, political, and social dignity. The Constitution in India is the highest order of law made to protect the rights of people and create an equitable development. The Indian Constitution, adopted in 1950, has a collection of provisions that are fundamental rights, directive principles of state policy, and fundamental duties--expressly designed to enhance gender equality and safeguard women against discrimination and violence. However, almost 75 years later, the real lives of women show that there were still gaps between what the constitution guaranteed and what happened on the ground. In this article researcher stated the role of provisions of the constitution in promoting the well-being of women in legal, socio-economic, and cultural aspects, the continued challenges faced, and the opportunity for how constitutional implementation can be strengthened in terms of achieving substantive gender justice.

Constitutional Foundations for Women's Rights

The core of the constitutional obligation of India to the rights of women is the Articles 14-16 that stipulate equality before the law, and outlaw any form of gender-based discrimination in relation to rights to access to public employment, education, and political participation. Article 39(a) and 39(d) of the Directive Principles of State Policy specifically encourage the state to obtain equal pay for equal work and to provide adults the right to an adequate means of living. In addition,

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How to cite this article:
Chougule, V. V. (2025). Women's Well-being through Indian Constitution: A Review. Journal of Research & Development, 17(9(V)), 142–145. https://doi.org/10.5281/zenodo.17680050

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17680050

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Article 15(3) gives the state the power to provide special treatment to women and children, opening the way to affirmative actions like reservation of seats in the local bodies and specific welfare initiatives. A few of the Supreme Court rulings, such as Vishaka v. State of Rajasthan (1997), Joseph Shine v. Union of India (2018), have broadened the constitutional command by reading between the lines the right to a safe workplace and invalidating outdated laws that criminalize the right to freedom of choice in women. These jurisprudential developments highlight how the Constitution is flexible enough to adapt to the gender issues of the modern world.

Literature on Implementation Gaps and Socio-Economic Realities

Researchers identify significant implementation flaws that weaken constitutional provisions in even liberal legal regimes. Empirical research indicates that social norms, bureaucratic inertia, and resource limitations are factors that do not support the successful implementation of women-based welfare programs (Rao 2014; Sharma 2019). An example of this is that the promise of land rights as stipulated under the Hindu Succession (Amendment) Act, 2005, which amended the traditions that allowed women to inherit land, has been compromised by low awareness rates among rural women and due to patriarchal family structure. Correspondingly, reviews of the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and the Pradhan Mantri Matru Vandana Yojana (PMMVY) indicate that economic empowerment and financial autonomy of women are restricted by procedural bottlenecks and delays in payments. As stressed by other authors like Menon (2021), women have been deprived of education and healthcare protection because of their other social exclusions, even though it is constitutional that they are required to receive these protections.

Role of Constitutional Remedies and Activism

Public Interest Litigations (PILs) and commissions like the National Commission for Women (NCW) have been critical in the necessary constitutional redress of rights abuses. Research by Banerjee (2020) shows that judicial interventions through PIL have activated policy changes and have established accountability on state actors regarding gender-based violence and discrimination. Nevertheless, activists and scholars warn that it is too easy to rely on litigation because court orders do not typically have strong enforcement mechanisms and tend to face delays in lower courts. Grassroots: These groups include women, NGOs, and community-based organizations, which have a complementary role by creating legal awareness, supporting the survivors, and lobbying for policy. This kind of twin activity of the official constitutional channels and informal activism points to the pluralistic character of social change in India.

Synthesis and Research Gaps

The current literature highlights a twofold discourse: the Constitution of India provides a powerful framework for promoting the welfare of women, but the implementation strategy often fails, primarily due to institutional, cultural, and socio-economic obstacles. Although legal scholars have mapped the transformation of gender law, we require longitudinal, mixed-methods studies to gauge the long-term effects of constitutional interventions on all kinds of women. The new challenges, including digital gender inequalities, climate-related vulnerability, and the consequences of new labour legislation, should also be examined in future research through a constitutional lens. The purpose of this paper is to bring together constitutional provisions, judicial interpretations, policy realities, and grassroots experiences to have an extensive review of the well-being of women under the Indian Constitution. By so doing, it aims to finding the best practices and offer constructive recommendations on what could be done to close the gap between the constitutional ideals and realities in the daily world.

Research Methodology

This research is based on Secondary data which includes the following:

- Constitutional clauses, Supreme Court rulings and significant legislative changes.
- Ministry of Women and Child Development, National Commission on Women and state department official reports and statistics.
- Research articles, policy briefs and evaluations studies on women welfare schemes that have been published.

Challenges and Implementation Gaps

Although there are strong constitutional clauses designed to guarantee equality between the genders and the well-being of women, many obstacles and gaps in implementation are still present, harming the interpretation of legal provisions into the reality in the lives of women. The main obstacle is the disconnection between design and the ground realities of policy. Most of the plans, like maternity benefits, incentives on education, and inheritance rights on land, are being designed at the national level without adequate consideration of local socio-cultural dynamics. Consequently, a set of deeply ingrained patriarchal values and caste hierarchies often override formal rights. Thus, women do not receive the resources and services to which they are legally entitled. This problem is also increased by a lack of awareness about rights, particularly among rural and marginalized stakeholders, due to low literacy levels and limited access to information. Another problem is bureaucratic lethargy and administrative blocks. Paperwork in the application, excessive bureaucratic procedure, and staff shortages in the home offices lead to delays in payment of benefits and frustration among prospective beneficiaries. In other words, slowness in handling maternity benefits

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

claims or land title transfers tends to put women off claiming their benefits, which cancels out the economic empowerment impact of the actions. Also, a lack of consistency in monitoring and accountability systems enables local authorities to flout the rules or redirect funds, thus further watering down the effect of welfare programs. Resource limitation is also the bane of the implementation. Inequity in budgetary allocations, especially at the state and district level, is the reason behind insufficient programs that are not financed to serve all eligible. The lack of infrastructure-lack of adequate healthcare centres, access to safe means of transport to Grama Sabha meetings or courts, and access to digital services- prevents women from enjoying the benefits of legal and social programs. The lack of gender-sensitive training of frontline workers implies that in most areas, women who seek help might be discriminated against or treated insensitively, which decreases their readiness to interact with state mechanisms. The other important gap is the disjointed nature of the formal institutions and actors on the grassroots level. Although the Public Interest Litigations and the National Commission for Women have their own functions in spreading awareness on systemic failures, implementation of judicial orders is usually unsuccessful because of the absence of cooperation with the civil society institutions and local panchayats. Grassroots organizations are often poorly resourced or lack the expertise in legal matters to keep authorities accountable, which restricts the ability to translate constitutional wins into a change on the ground lastly, there is a lack of data and insufficient evaluation of impacts to steer evidence-based policy changes. In the absence of regular disaggregated data on scheme uptake and outcomes, disaggregated by caste, by class, by geography, and others, it is difficult to understand what interventions benefit what groups. This constrains the capacity of policymakers to optimize programs, resource allocation, and respond to emerging issues like digital gender disparity and climate-related vulnerability. To overcome these complex issues, it is important to organize the joint work to enable the simplification of administrative procedures, to consolidate accountability systems, to improve resource distribution, and to establish effective cooperation between governmental agencies and communities. It is only because of closing these implementation gaps that the constitutional commitments of gender justice and women's well-being in India can be achieved.

Discussion

The results of this research show that there is an unresolved conflict between the constitutional system of India and the actual conditions of women in different socio-economic situations. Although the legalization of gender equality is firmly rooted in the provisions of the constitution as well as historic judicial interventions, its revolutionary potential is often compromised by systemic and structural factors. The observations highlight the fact that male ideals, bureaucratic ills, and resource constraints converge to inhibit access to entitlements by women, which supports earlier empirical research findings on gaps in implementation. The interaction between the formal legal systems and activism on the grassroots is proven to be a key factor of success. The promulgation of jurisprudential changes (like the extension of safe working standards and the inheritance rights) is only successful when it is supported by legal literacy campaigns in the community and long-term advocacy. Nevertheless, such gains are often watered down by the lack of coordination between state agencies and civil societies. In addition, the lack of disaggregated, longitudinal data offers limited prospects to follow the progress holistically and implement interventions in vulnerable groups. Cope with these issues, a multidimensional approach is required: to simplify the administrative procedures, to increase accountability with the help of efficient monitoring, and to strengthen the relations with the grassroots organizations. Bridging access gaps can also be increased by strengthening gender-sensitive training of the frontline workers and investing in digital infrastructure. Finally, the constitutional promise of female well-being can be achieved only through a combination of legal changes, long-term socio-cultural transformation, and evidence-based policy refinements.

Recommendations

1) Dilute and standardize Administrative Processes.

Make it easier to apply and approve women-centric schemes by minimising documentation, using single-window clearances, and using digital portals to limit delays and red tape.

2) Increase Legal Awareness and Reach.

Introduce campaigns on legal literacy in local languages by means of community centres, women's self-help groups, and online mechanisms to inform women about their constitutional rights, welfare benefits, and redress channels.

3) Enhance Surveillance and responsibility.

Create independent audit cells at district/state levels to perform unannounced and regular inspections of scheme implementation and officially release a performance dashboard monitoring beneficiary coverage and fund utilization.

4) Raise Budgetary Provisions and mobilization of resources.

Give priority and ring-fence specific resources to women's welfare schemes in state budgets and seek to establish collaboration with international development agencies and private philanthropies to increase resource bases.

5) Establish the Capacity of Frontline Workers.

Make Anganwadi workers, health personnel, panchayat functionaries, and judicial employees receive compulsory and rights-based training to make sure that they treat beneficiary women empathetically and with understanding.

6) Develop Multi-Stakeholder Co-operation.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Establish institutional coordination systems that connect government agencies, civil organizations, and women's groups to co-develop strategies of implementation, track progress, and address local bottlenecks.

7) Grow Digi Network and Connectivity.

To achieve this, invest in rural broadband connectivity, mobile kiosks, and digital literacy initiatives focused on women to make online schemes registration and grievance redressal, as well as access to tele-legal services, easier.

8) Standardize Grievance Redressal Systems.

In line with standardized systems, establish women-friendly helpdesks at the panchayat and block levels, where trained staff will be present to accept complaints, monitor case developments, and forward those cases that will not be solved to the superior authorities.

9) Assure Data Disaggregation and Impact Evaluation.

Furthermore, require scheme performance data disaggregated by gender, caste, class, and geography to be collected and published, and independent evaluations to be made to guide policy improvements that occur in an iterative way.

10) Publicize Legal Grassroots Aid and Advocacy.

Fund and support community-based legal aid clinics and paralegal volunteers to help women file Public Interest Litigations, use NCW services, and navigate the judicial processes.

Conclusion

The Constitution of India offers a legal framework of promoting the well-being of women in terms of equality, non-discrimination, and specially designed affirmative actions. The last 7 decades have seen a series of monumental judicial orders and legislative changes broadening the scope of women's rights, with the enactment of safe working conditions under the Vishaka Guidelines to the acknowledgment of equal hereditary rights under the Hindu Succession (Amendment) Act. These changes support the dynamic nature of the Constitution to keep up with emerging gender justice demands. Nevertheless, the continuity of socio-cultural obstacles, bureaucracy, and resource limitations reveals a profound disjunction between the legal theory and actual life. This review has proven that even though constitutional provisions have provided a strong normative platform, their influence on economic empowerment, health security, and social autonomy is not uniform in the diversified population of India. There are still significantly lower reported access rates by rural, lower-caste, and economically marginalized women to welfare programmes and legal redress, which is indicative of established patriarchal values and locally specific power structures. The discussion of implementation issues, including bureaucratic bottlenecks and inadequate funding, disjointed efforts by different state agencies and grassroots actors, is indicative of the fact that legal entitlements cannot be used without concerted efforts to overcome structural barriers. Besides, the mutual connection between the formal constitutional processes and grassroots movements is a significant source of substantive change. Motivations of policy change have been sparked by the Public Interest Litigations and commission-based investigations, but long-term transformation will only be guaranteed by a culture of continuous community-based legal education, a strong monitoring infrastructure, as well as gender sensitivity capacity building amongst the frontline workers. The lack of both disaggregated and longitudinal data also makes the calibration of policies more nuanced, which highlights the necessity of evidence-based program design and impact measurement. Overall, the pursuit of women's welfare in India requires a combined approach that would reconcile the ideals of the constitution and the realities on the ground. Transform the legal rights into actual results, it will also be necessary to strengthen the administrative procedures, increase the accountability regulations, promote digital access, and promote partnerships between different stakeholders. Localizing strict policy enforcement with socio-cultural transformation and data-driven adjustments will help India take a step closer to fulfilling its constitutional commitment of an inclusive and equitable society in which every woman is able to succeed.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Privatization of Education in Sangli District: Violations of Constitutional Rights

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Manuscript ID:
JRD -2025-170936
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 146-149
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

In Sangli district (Maharashtra), the increasing privatization of school education and the changing regulatory framework under the Right to Education Act (RTE) have raised questions concerning constitutional guarantees: free and compulsory education (Article 21A), equality (Article 14), non-discrimination, dignity (Article 21), and minority/other rights. This paper examines district-level data (2023-25) on RTE implementation, private school participation, policy changes, and admission patterns in Sangli. It evaluates whether current trends amount to violations of constitutional rights, and offers recommendations.

Keywords: *Privatization, Education, Constitutional Rights.*

Introduction

India's constitutional framework ensures that every child aged 6-14 has the right to free and compulsory education (Article 21A), along with equality before law (Article 14) and dignity of life (Article 21).The Right to Education Act, 2009 mandates that private unaided schools reserve 25% of seats for children from disadvantaged or weaker sections (EWS) and disadvantaged groups.In recent years, Sangli district has become an important microcosm of Maharashtra's policy shifts: "one-kilometre rule", changes in RTE admission processes, widespread concerns about delay or non-payment of government compensations to private schools for RTE seats, school exemptions, etc.This paper uses the data available for Sangli to assess if privatization in its current form violates, or poses real risk to, constitutional rights.

Constitutional & Legal Framework

- **Article 21A**: Free and compulsory education for children aged 6-14.
- **Article 14 & 15**: Equality and non-discrimination — children from EWS/disadvantaged groups must have equal opportunity.
- **Right to Education Act (RTE), 2009**: Obligations on private (unaided) schools to reserve seats, for state to reimburse, infrastructure and quality norms, etc.
  Case law (e.g. Mohini Jain v. State of Karnataka, Supreme Court) confirms education as part of right to life and equality. State policies or rules that dilute statutory obligations may be challenged under constitutional scrutiny.

Empirical Data from Sangli District

Here are key data points (2023-25) specific to Sangli, relevant for assessing whether constitutional rights are being upheld.

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How to cite this article:
Dhale, P. (2025). Privatization of Education in Sangli District: Violations of Constitutional Rights. Journal of Research & Development, 17(9(V)), 146–149.
https://doi.org/10.5281/zenodo.17680199

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17680199

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Indicator	Value/Trend in Sangli	Source
Number of private schools under RTE / participating	233 private schools participate under RTE in Sangli district (academic year 2025-26)	(ghdays)
RTE Vacancy (private schools)	1,901 seats vacant under RTE in Sangli private schools in 2025-26.	(ghdays)
Number of applications for RTE seats	2,365 applications for those vacant seats in Sangli.	(ghdays)
Number of schools admitting under RTE district-wide	In 2024-25, RTE admission process in Sangli involved **2,137 schools**, with **26,343** vacant seats across the district.	(https://www.lokmat.com/)
Policy Change — "1 km rule"	Under new rules, a private school will be obligated under RTE (i.e. must reserve 25% EWS seats) *only if* there is **no government / aided / local body school within 1 km** of that private school. Many private schools in Sangli (especially in municipal areas) fall within 1 km of some government/aided school and thus may be exempted.	(https://www.lokmat.com/)
Delay / Non-payment of State Reimbursements	Private schools in Sangli have publicly complained that government has not been paying the fees or compensations owed for RTE admissions. Some private schools have posted notices saying "no admission through RTE" because of unpaid dues.	(https://www.lokmat.com/

Analysis: Are Constitutional Rights Being Violated in Sangli?

Using constitutional standards and the above empirical data, here's an analysis of how Sangli is doing and where violations (or risk thereof) occur.

Free & Compulsory Education (Article 21A)

The existence of RTE with 25% seats in private schools for EWS is designed to ensure *free* education. But in Sangli, vacant seats under RTE suggest that even when seats are reserved, they are not all being used/admitted. Barriers may include lack of awareness, bureaucratic delays, documentation issues, or reluctance by schools. This undermines the "free" promise in practice. Further, the "one-kilometre rule" can create exemptions so that many private schools are no longer required to reserve these 25% seats. This potentially reduces access to "free" seats, especially for families who prefer private schooling but are excluded by policy.

Equality and Non-Discrimination (Article 14 / 15)

Disadvantaged/EWS students are disproportionately affected. If many private schools are exempted (because they are within 1 km of government schools), EWS students may have fewer choices or may be forced to go to government schools even when parents prefer private schools (assuming those cost more or have different perceived quality). This creates unequal access.

The delay in government reimbursements leads to private schools resisting participation, which again harms EWS students.

Quality & Dignity (Article 21)

1. Though data on quality (learning outcomes, infrastructure) for Sangli is less complete, we do have the Learning Improvement Programme (LIP) in Sangli, which intervened to improve foundational learning in ZillaParishad schools, showing the government's recognition of gaps. The Indian Express
2. The gap in actual admissions and non-payment of fees threatens not just access but also the quality of educational experience offered: schools under financial strain may cut corners.

2. **State Obligations & Policy / Rule Dilution**

1. State policy changes ("1 km rule") suggest legislative/regulatory dilution of RTE obligations. Exempting many private schools reduces the reach of a law intended to guarantee constitutional rights.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

2. Delay or failure of the State to perform its financial obligations (reimburse private schools for RTE seats) undermines the legal framework, making enforcement weak.

3. **Remedial Mechanisms & Accountability**
   There are signs of legal/judicial pushback. For example, some private schools in Sangli have protested, and authorities (e.g. Primary Education Officer) have said that schools failing to comply could lose recognition. https://www.lokmat.com/

However, timeliness of remedy, clarity of process, transparency of policy changes remain concerns.

Does Sangli's Situation Constitute Constitutional Violation?

Given the constitutional framework, the law (RTE), and the data for Sangli:

Yes, there is a credible case that constitutional rights are being violated in Sangli in practice, particularly:

1. The right to free education is undermined when reserved seats remain vacant, or schools refuse admission because of non-payment of reimbursements.
2. The policy based exemptions reduce access for EWS/disadvantaged children, violating equality guarantees.
3. When families are forced into government schools (possibly lower perceived quality) because private schools are exempted or otherwise unavailable, their freedom of choice and equality of opportunity are compromised.
   However, the degree of violation is not uniform. Some RTE seats are being filled; some schools are compliant; there are active programmes (like LIP) to improve outcomes. So while practice is imperfect and in many cases rights are compromised, it's not a blanket denial.

Policy Recommendations (Sangli-Relevant)

Based on the above, for Sangli district the following steps are essential to better align practice with constitutional guarantees:

1. **Ensure Timely Reimbursement to Private Schools for RTE Seats**
   The government must clear arrears and ensure prompt payments to encourage private schools to admit RTE students without apprehension.

2. **Reconsider / Review the "One-Kilometre Rule"**
   This rule in its current form may be over-broad; many private schools are being exempted purely because there is a government school within 1 km, even if that government school doesn't have capacity, or infrastructure / quality is poor. Policy should consider capacity, quality, and actual accessibility.

3. **Awareness & Simplification of Application Process**
   Increase awareness among eligible EWS families about their rights; simplify documentation; ensure the process is not delayed.

4. **Ensure Vacancy Reduction**
   Monitor and enforce filling up reserved seats; when seats are vacant, examine reasons and take corrective steps (school compliance, outreach, etc.).

5. **Strengthen Infrastructure & Learning in Govt / Private Schools**
   Conduct audits of compliance with RTE basic norms across both sectors; invest in government schools (infrastructure, teacher training).

6. **Learning Outcome Monitoring**
   Conduct district level assessments (e.g. foundational literacy and numeracy) disaggregated by school type / RTE status to detect and correct gaps.

7. **Legal / Regulatory Accountability**
   Ensure that schools refusing to admit under RTE due to policy loopholes are held accountable; ensure that rules are consistent with constitutional tolerances; ensure that courts intervene when policy changes undermine the law.

Conclusion

Sangli district exhibits many of the tensions seen between privatization of education and constitutional rights. While RTE provides legal guarantees, in practice, policy exemptions (such as the "1 km rule"), nonpayment of state reimbursements, and many vacant reserved seats indicate that rights are not being fully realized. For EWS/disadvantaged children in Sangli, the promise of free, compulsory, quality education remains uneven.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Urbanization and Traffic Congestion: A Case Study of Vita City

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Manuscript ID:
JRD -2025-170937
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 150-153
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Vita city, located in Sangli district, is an important commercial, educational, and healthcare hub. The rapid growth of population and vehicles has created severe urban traffic congestion. This study analyses the geographical causes, impacts, and remedial measures of traffic congestion in Vita city. The methodology included field observation, citizen interviews, and secondary data from RTO and municipal records. Major congestion points identified were Gandhi Chowk, Shivaji Chowk, Karad Road, Tasgaon Road, Vegetable Market, Mayani Road, and the Bus Stand. Narrow roads, lack of parking, unplanned markets, and rising vehicle numbers are the key causes of congestion. Traffic congestion results in time and fuel loss, economic damage, increased accidents, and environmental issues such as air and noise pollution. To mitigate the problem, solutions such as road widening, bypass development, parking zones, smart traffic signals, public transport improvement, and GIS-based planning have been suggested. The study concludes that sustainable urban development requires citizen participation, modern technology, and long-term planning. Improved traffic management in Vita city will provide social, economic, and environmental benefits.

Keywords: *Urbanization, Traffic Congestion, Causes, Remedies, Urban Transport Planning.*

Introduction

Traffic is the lifeline of socio-economic development in any city. However, with the increase in population and vehicles, small and medium-sized towns are also facing severe traffic congestion. Vita (Taluka Khanapur, District Sangli) is a major commercial and educational hub. Due to markets, schools, colleges, vegetable markets, and the central bus stand, traffic density remains high throughout the day. Located on the routes connecting Karad, Tasgaon, Khanapur, and Mayani, the city also bears the load of external traffic. Hence, traffic congestion in Vita is not just a local but also a regional issue.

Objectives

1. To identify the geographical causes of traffic congestion in Vita city.
2. To study the social, economic, and environmental impacts of congestion.
3. To demonstrate spatial distribution and characteristics of congestion using GIS.

Study Area

Vita city is situated in Khanapur taluka of Sangli district, at 17°27’ N latitude and 74°53’ E longitude, with an elevation of 560 meters above sea level. The city lies at the junction of Sangli and Satara districts, making it commercially significant. As per the 2011 Census, Vita had a population of 48,289, which is estimated to have increased to around 66,000 by 2025. Surrounding villages include Dhavaleshwar (east), Renavi (east), Gardi and Bhambarde (north), Khambale (Bha) and Karve (south), Vasumbe and Kurli (east), Kalambi (southwest), and Nevri (west).

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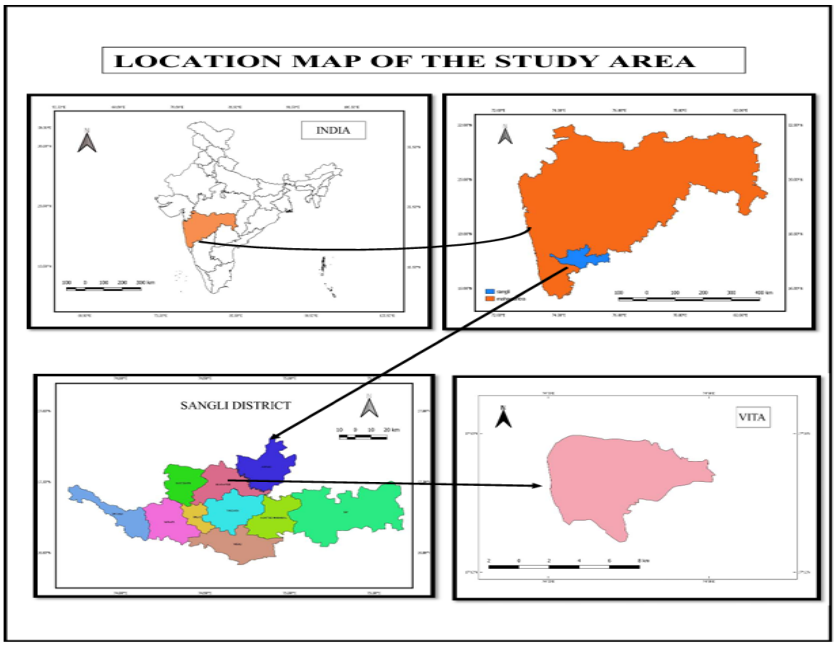
How to cite this article:
Mandle, N. R., & Janawade, D. A. (2025). Urbanization and Traffic Congestion: A Case Study of Vita City. Journal of Research & Development, 17(9(V)), 150–153. https://doi.org/10.5281/zenodo.17680363

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17680363

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025



Methodology

1. **Survey:** Traffic density recorded at major chowks and roads.
2. **Vehicle Count Method:** Counting vehicles during peak and non-peak hours.
3. **GIS Mapping:** Using QGIS/ArcGIS to identify traffic hotspots.
4. **Interviews & Questionnaires:** Collecting opinions of traders, residents, and drivers.
5. **Secondary Data:** Data from Municipal Council, RTO, and Police Department.

Geographical Causes of Congestion

Natural Factors:

- Flat terrain forces all traffic on a single level.
- Krishna River and agricultural lands restrict road expansion.

Human-made Factors:

1. Rapid population growth in the last two decades.
2. Increase in two-wheelers and four-wheelers.
3. Narrow roads in old settlements (Gandhi Chowk, Market area).
4. Lack of parking facilities, especially near markets.
5. Central location of the bus stand adds to congestion.
6. Pressure from schools and colleges during peak hours.
7. Heavy vehicles passing through city roads (Karad–Tasgaon route).
8. Lack of traffic signals, CCTV monitoring, pedestrian paths.

GIS-based Analysis:

- Hotspots: Gandhi Chowk, Shivaji Chowk, Bus Stand, Vegetable Market.
- Heavy traffic: Karad and Tasgaon roads.
- Medium traffic: Khanapur and Mayani roads.

Impacts of Traffic Congestion

Social:

- Increased travel time for citizens.
- Higher risk of accidents.
- Difficulties for school children and senior citizens.

Economic:

- Wastage of fuel.
- Delay in commercial activities.
- Increased vehicle maintenance costs.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Environmental:

- Air pollution (CO_2, CO, NOx).
- Noise pollution (horns, engines).
- Urban Heat Island effect.

Suggested Solutions

1. Road widening in congested chowks and market areas.
2. Construction of bypass roads to divert heavy vehicles.
3. Installation of signals, CCTV, and traffic control systems.
4. Development of dedicated parking grounds/multi-level parking.
5. Strengthening public transport – e-buses, mini-bus services.
6. Creating pedestrian and cycle paths.
7. Increasing number of traffic police with stricter enforcement.
8. Staggered school and college timings.
9. Public awareness campaigns.
10. GIS and AI-based real-time traffic mapping and planning.

GIS and AI-based Analysis

GIS: Mapped roads and hotspots using QGIS/ArcGIS. Integrated vehicle count, parking, and accident data. Hotspot analysis highlighted congestion-prone areas. Spatial overlay linked congestion with commercial, educational, and market zones. Temporal analysis showed peak-hour variations.

AI: Machine learning models predicted future vehicle loads. Computer vision analysed CCTV footage to classify vehicles. AI-based traffic simulation models suggested signal optimization, smart parking, and need for improved public transport.

Photo

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Conclusion

The study reveals that narrow roads, disorganized chowks, unregulated parking, insufficient public transport, and growing population are the main causes of congestion in Vita city. Gandhi Chowk, Shivaji Chowk, Vegetable Market, Bus Stand, Karad, Tasgaon, and Mayani roads are identified as major congestion points.

Traffic congestion results in fuel wastage, increased pollution, health issues, and economic loss due to delays in trade and transportation. GIS and AI technologies have proven effective in identifying problem areas and suggesting efficient planning measures.

Sustainable traffic management in Vita requires road expansion, bypass development, smart traffic signals, improved parking systems, and strong public transport. With active citizen participation, policy-level initiatives, and modern technology, congestion in Vita can be significantly reduced, paving the way for sustainable urban development.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Economic Equity and Growth in India: Reflections and Future Pathways

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Manuscript ID:
JRD -2025-170938
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 154-156
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

It is evident that India's economic growth over recent decades is remarkable. It is leading towards one of the fastest-growing major economies. However, several challenges are being faced including equitable distribution of income, wealth and opportunities in all aspects of life. There is a paradox of rapid economic growth with inequalities. The Indian Constitution, since its adoption has been a guiding framework for the government and policy makers. It guides in achieving equity and growth simultaneously. Constitutional provisions such as the Directive Principles of State Policy and Fundamental Rights are playing crucial role in maintaining and achieving growth with equity. Despite remarkable growth in India in recent decades several challenges are still persistent. Challenges in achieving equitable distribution of wealth and opportunities are predominantly seen today. This paper highlights the significance of the Constitution in shaping India's economic policies that helps to reduce inequalities and achieve sustainable inclusive growth. It also assesses the interplay between economic growth and equity. The paper also aims to offer recommendations for future pathways that could promote a more inclusive and sustainable economic future.

Keywords: *Indian Constitution, Economic Equity, Economic Growth.*

Introduction

Since the adoption of its Constitution in 1950, India witnessed remarkable developments in all sectors. Despite these developments there are disparities across regions and social groups. These are major challenge the inclusive growth. Still today objective of achieving economic equity remains a challenge. The Indian Constitution, since its adoption has been a guiding framework for the government and policy makers. It guides in achieving equity and growth simultaneously. Constitutional provisions such as the Directive Principles of State Policy and Fundamental Rights are playing crucial role in maintaining and achieving growth with equity. This paper highlights the significance of the Constitution in shaping India's economic policies that helps to reduce inequalities and achieve sustainable inclusive growth. It also assessesthe interplay between economic growth and equity. The paper also aims to offer recommendations for future pathways that could promote a more inclusive and sustainable economic future.

The Constitutional Framework for Economic Equity and Growth:

The Constitution of India adopted on January 26, 1950 is cornerstone of its democratic framework in India. It is regarded as one of the great democracies in the world. It is serving as the supreme law of the nation. It establishes India as a sovereign, socialist, secular, and democratic republic, ensuring justice, liberty, equality, and fraternity for all citizens. Dr. B. R. Ambedkar worked as a chairman of the Draft Committee. More than a legal document, the Constitution embodies the moral and political vision of a nation committed to social transformation, democratic governance, and equitable development. The constitutional framework for economic equity and growth is discussed as follows.

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How to cite this article:
Gavade, S. G. (2025). Economic Equity and Growth in India: Reflections and Future Pathways. Journal of Research & Development, 17(9(V)), 154–156.
https://doi.org/10.5281/zenodo.17680434

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17680434
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

1) Directive Principles of State Policy:

The Directive Principles of State Policy in Part IV of the Indian Constitution serve as a guide for the state to promote economic equity, welfare and justice. Actually, they are not legally enforceable

Some articles promoting equity and justice are as follows-

Article 38: Aims to establish a social order where economic inequalities are reduced and a welfare-oriented society is fostered.

Article 39: Mandates the state to ensure that wealth and material resources are distributed for the common good and that citizens have a right to an adequate livelihood.

Article 43: Directs the state to secure a living wage and decent conditions of work for workers.

These articles have guided major policies in India such as land reforms, social welfare policies, and labour rights lows etc. But despite these initiates there are issues in achieving equity.

2) Fundamental Rights and Economic Justice**:**

Fundamental Rights emphasises on civil liberties, also play significant role in economic equity and justice. The Fundamental Rights given in the Part III of the Indian Constitution ensures individual freedom and equality before the law. These establishes the moral basis for economic justice.

The six fundamental rights are:

1. Right to equality
2. Right to freedom
3. Right against exploitation
4. Right to freedom of religion
5. Cultural and educational rights
6. Right to constitutional remedies

To creating a fair social and economic order, some rights are playing crucial role. These are equality of opportunity in public jobs, the prohibition of discrimination at all places and protection against exploitation etc.

Article 14 (Right to Equality): Ensures equal treatment before the law, promoting fairness in economic opportunities.

Article 21 (Right to Life): Through judicial interpretation, this right has been expanded to include the right to livelihood, health, and education, thereby encompassing socio-economic entitlements. Right to Education Act (2009) is a best example here which provides free and compulsory education for children. Another example is Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), which guarantees a minimum income and work to rural households in India.

3) Constitutional Amendments and Economic Justice:

The Constitution has been amended multiple times to address economic equity and justice. These amendments aimed at advancing economic justice and social equity. Some of the amendments are given here.

42nd Amendment *(1976):* Introduced the term "socialist" into the Preamble, strengthening the Constitution's commitment to reducing economic inequality.

73rd and 74th Amendments *(1992):* Empowered local self-governments (Panchayats and Municipalities) to facilitate decentralized economic development and increase citizen participation, especially in rural areas.

Affirmative Action*:* Amendments have also enabled policies like reservations in public employment and education for Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs) to ensure access to resources for marginalized communities.

Contemporary Challenges and the Future of Economic Equity in India

1) **Addressing Income Inequality*:*** The narrative that India is grappling with "growing income inequality" is a subject of debate. While some reports, like those by Oxfam International, highlight that the top 1% of the population holds over 40% of the country's wealth, other data suggests a different picture. A recent World Bank report noted that India's Gini Index—a key measure of income distribution—has shown significant improvement, decreasing from 28.8 in 2011-12 to 25.5 in 2022-23. (World Bank Poverty and Equity Brief, 2024) This places India among the countries with the most equal income distribution globally, surpassing many G7 and G20 nations. (World Bank Gini Index data, 2022) This progress is largely attributed to a massive decline in extreme poverty, which fell from 16.2% in 2011-12 to just 2.3% in 2022-23, lifting 171 million people out of poverty in a decade. (World Bank Poverty and Equity Brief, 2024)

2) **Tackling Poverty and Unemployment:** Despite the significant decline in extreme poverty, poverty and unemployment remain critical challenges. While recent data shows an overall decline in the unemployment rate, key issues persist. For instance, structural unemployment—a mismatch between the skills of the labor force and the demands of the job market—is a major concern. (ILO & IHD, 2024) The unemployment rate for youth with tertiary education is elevated at 29%, highlighting a gap between the education system and the skills required for modern industries. (ILO & IHD, 2024) This issue is a primary reason why a large portion of the workforce remains in the informal sector, lacking social security and stable income.

3) **Regional Disparities:** India's economic landscape is marked by stark regional disparities. While states with strong infrastructure and governance like Maharashtra and Tamil Nadu have seen rapid growth, others, particularly in the

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

north and east, have lagged behind due to historical factors, uneven distribution of resources, and variations in governance.

Future Pathways for Economic Equity and Growth

1) Strengthening the DPSPs:

The Directive Principles of State Policy are playing significant role in advocating policy makers toward economic and social justice. These are not legally enforceable but has valuable role in Indian Constitution. These principles should be updated and strengthened to accommodate changing and contemporary challenges. These must be strengthened to guide the policies to mitigate challenges like technological unemployment and environmental sustainability.

2) Focus on Inclusive Growth:

In recent era, it has been seen that major focus area of academicians as well as policy makers is to achieve India's transformative growth. To accomplish this, it must be inclusive growth reaching all segments including marginalised. Constitution can play vital role in achieving inclusive growth in following manner.

- Universal Basic Required Income: A constitutional can identify whether universal basic income provided to vulnerable populations to reduce poverty. It will act as a safety net for those needed.
- Social Sector Investment: It is evident that constitutional provisions can better ensure more equitable access to education and healthcare services to all. Hence, strengthening constitutional provisions to ensure better and more equitable access to these services is needed. It is also necessary to prioritizing public expenditure so as to to reduce social and economic inequalities.
- Labor Rights: Labour rights are key to achieve equity and justice. These rights safeguard the interests of the labour force. In the era of modernisation, constitutional framework must be designed in a manner to protect workers in the gig economy and other informal sectors.
- Gender Equality: In 21st century eradication of gender inequalities is of prime objective of academicians and policymakers. The problem of inequalities must be addressed by identifying the magnitude and factors affecting.
- Environmental Sustainability: Constitutional framework must address environmental sustainability. It should ensure that the growth achieved should not have remarkable social costs with environmental degradation.

Conclusion

The Indian Constitution has played significant role in achieving economic justice and equity. Despite the developments in all sectors there the problem is equity is still persistent. There has been remarkable progress in economic growth but the challenges in achieving equity is still facing. Therefore, it becomes necessary to use all the tools given by our constitution to eradicate poverty and achieve the goal of socio-economic equity. It is need of time to make India's constitutional framework to address the challenges justice, equality, and welfare. Hence, Indian constitution can play a major role in achieving inclusive and sustainable future.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Influence of the Philosophy of Mahatma Phule, Shahu Maharaj, and Mahatma Gandhi on the Process of the Making of the Indian Constitution

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Manuscript ID:
JRD -2025-170939
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 157-159
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Constitution of India is not just a legal document but a living expression of India's historical struggles for justice, freedom and equality. The ideological foundation of the philosophy of the Constitution of India can be seen laid long ago by Indian thinkers and reformers and among these thinkers and reformers the names of Mahatma Jyotirao Phule, Rajarshi Shahu Maharaj and Mahatma Gandhi come forward. Mahatma Jyotirao Phule, Rajarshi Shahu Maharaj and Mahatma Gandhi each played an important role in the intellectual and moral environment in which the Constitution of India was created. Mahatma Phule's stance against caste discrimination along with his support for education and social equality, Important role of Shahu Maharaj in the context of reservation and social justice and the efforts implemented by him at the same time, Mahatma Gandhi's philosophy of non-violence and the importance of rural self-government, all these ideas have collectively influenced the constitutional values of the Constitution of India.

Kewords: *Indian Constitution, Mahatma Jyotirao Phule, Rajarshi Shahu Maharaj, Mahatma Gandhi, Social justice, Equality, Reservation, Non-violence.*

Introduction

India's freedom struggle was not just a political movement against colonial rule but a profound social movement, which also aimed to transform an inherently hierarchical and unequal society. Hence the creation of the Indian Constitution was not only to design democratic institutions but also to redefine the concept of Indian society. It was a sincere attempt to make India a just, egalitarian and inclusive republic. Although the Constitution of India adopted many structural elements from the constitutions of America, England and Ireland as well as many other countries, its spirit was deeply rooted in India's indigenous reform movements. And most importantly, the philosophies of Mahatma Phule, Shahu Maharaj and Mahatma Gandhi played an important role in shaping the vision and values enshrined in the Constitution.

Each of these thinkers challenged prevailing social norms, envisioned a society based on justice and equality, made a sincere effort to realize it, and inspired subsequent generations of reformers in which the architect of the Indian Constitution Dr. B.R. Ambedkar included. How Phule, Shahu and M.Gandhi's thoughts and philosophy influenced the constitution of India or Phule, Shahu and M.Gandhi's important thoughts, philosophy How Dr. Babasaheb Ambedkar reflected will be arranged while preparing this research paper.

1. Mahatma Jyotirao Phule

Mahatma Jyotirao Phule Known as a pioneer of social equality and education. 1827-1890 period of Mahatma Jyotirao Phule. A social reformer in India. He took the initiative to question the Brahmin orthodoxy and caste-based discrimination in Indian society. Phule raised his voice about the condition of Shudras and Atishudras in India in his Ghulamgiri treatise on the social system of the time and demanded the liberation of the class considered Shudras and

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How to cite this article:
Karanjawane, K. V. (2025). Influence of the Philosophy of Mahatma Phule, Shahu Maharaj, and Mahatma Gandhi on the Process of the Making of the Indian Constitution. Journal of Research & Development, 17(9(V)), 157–159. https://doi.org/10.5281/zenodo.17695654

Quick Response Code:

Website:
https://jrdrvb.org/

DOI:
10.5281/zenodo.17695654

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Atishudras from Brahminical domination. He recognized the importance of universal education. Phule gave importance to primary education. He first educated his wife Savitribai Phule and together they opened the first school for girls in Pune in 1848. He believed that education was the key to the emancipation of the oppressed. He advocated the rights of farmers, women and Dalits, emphasizing the need for structural reforms.

Influence of Mahatma Phule's Thoughts on Indian Constitution

The influence of Mahatma Phule's thoughts can be seen in the following constitutional provisions.
Article 14 (Right to Equality) provides equality before law and equal protection of laws.
Articles 15 and 16 prohibit discrimination on the basis of caste and empower socially and educationally backward classes by affirmative action.
Article 17 opposes untouchability Today practicing untouchability is a crime under the law. Phule strongly opposed the observance of untouchability.
The Directive Principles of state policy enshrined in the Constitution of India are to promote the educational and economic interests of the weaker sections. Mahatma Phule's ideas for "Bahujan" empowerment laid the ideological foundation for Ambedkar's conception of a constitution that would not only serve the interests of the elite but also the last section of society.

2. Rajarshi Shahu Maharaj

Rajarshi Shahu Maharaj is considered as the architect of social justice. The era of Shahu Maharaj of Kolhapur is 1874-1922 and he was a ruler and reformer. Influenced by Phule's thinking, he took concrete steps for the upliftment of marginalized communities through legislative and policy reforms. He used all his power throughout his life for the benefit of the Bahujan class. In 1902, Shahu Maharaj introduced a policy of 50% reservation for non-Brahmins in his state in education and employment which was an unprecedented step at that time. He established hostels, scholarships and schools for the backward classes and guaranteed quality education. At the same time, he introduced many social reforms, mainly he supported widow remarriage, opposed child marriage and campaigned against untouchability and caste discrimination.

Influence of Rajarshi Shahu Maharaj's Thoughts and Actions on Indian Constitution

Shahu Maharaj's policies and actions directly affected the provisions of reservation and social justice in the constitution. The provision of reservation in educational institutions and public jobs through Articles 15(4) and 16(4) seemed to enshrine their views in the Constitution of India. At the same time Article 46 which is part of the guidelines of the State Policy mandates the State to promote the educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.

3. Mahatma Gandhi

Mahatma Gandhi's philosophy of non-violence, his concept of rural self-government i.e. Ram Rajya and his thoughts on religious harmony are important not only for India but for the whole world. Mahatma Gandhi's period is 1869-1948. Referred to as the "Father of the Nation", Mahatma Gandhi was a towering moral and political figure. His ideas of non-violence, truth, and sarvodaya for the welfare of all have had a profound impact on the Indian freedom struggle and constitutional thought. As part of the eradication of untouchability, Gandhi launched several campaigns to integrate Dalits (whom Gandhi called Harijans) into the mainstream of society. He felt that the root of true democracy should be in the empowerment of villages through Panchayati Raj institutions, so he gave a message to the Indian people that let's go to the village. Gandhi's principle of pantheism advocated religious tolerance and respect for all religions. Mahatma Gandhi promoted the idea of economic self-sufficiency and ethical capitalism by introducing the concept of self-reliance and trusteeship.

Influence of Mahatma Gandhi's Thoughts on Indian Constitution

Gandhian values can be seen incorporated in many major constitutional features. Articles 40 and 243 (Panchayati Raj) constitutional recognition of village-level Swaraj are directly inspired by Gandhi's Gram Swaraj.
At the same time, Articles 25 to 28 (Freedom of Religion) embody the secular and tolerant approach advocated by Gandhi. At the same time many of the provisions in the state policy guidelines promoting cottage industries, protecting the environment, banning drugs and most importantly are Gandhian in origin.

4. **The influence of the philosopher's philosophy on the constitutional vision of Dr. Babasaheb Ambedkar**

Mahatma Phule and Shahu Maharaj had a deep influence on Dr. Ambedkar, the architect of the Constitution. He regarded Phule as his intellectual predecessor and Shahu Maharaj as his political mentor. While Ambedkar often disagreed with Gandhi's approach, he acknowledged Gandhi's role in bringing social issues into the national debate.

Ambedkar's concept of constitution was not limited to governance but was shaped as an instrument of social transformation. Mahatma Phule's philosophy of caste abolition and educational empowerment as well as Shahu's model of state-led social justice. Mahatma Gandhi's emphasis on moral politics and grassroots democracy. These influences ensured that the Constitution was not only a political agreement but also a moral and social charter.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Conclusion

The Indian Constitution is the answer to centuries of struggle for justice and dignity. The philosophies of Mahatma Phule, Rajarshi Shahu Maharaj and Mahatma Gandhi played a fundamental role in shaping the ideals enshrined in the Constitution. His commitment to social justice, equality and human dignity transformed Indian society and politics, and he made it possible for these values to be reflected in the Indian Constitution. Phule's demand for education and abolition of casteism was transformed into fundamental rights and equality. Shahu Maharaj's reservation policy became the backbone of affirmative action. Gandhi's ethos of non-violence and rural empowerment influenced both the Fundamental Rights and the Guiding Principles. Together these thinkers laid the foundations of an India that would be constitutionally and socially inclusive, just and democratic.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Rural Development and Women Empowerment: A Study of Employment in the Bakery Industry in the 75th Year of the Indian Constitution

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Manuscript ID:
JRD -2025-170940
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 160-163
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Rural development and women's empowerment are closely connected in the socio-economic context of India. As the country commemorates its 75th year of its Constitution, it is crucial to assess sectors promoting inclusive growth and sustainable livelihoods. The food processing sector-based bakery industry has proved to be a rewarding opportunity for rural women by providing low investment, skill-based, and locally Marketable employment prospects. The research studies the contribution of the bakery sector to increasing women's contribution to rural workforce participation, household income improvement, and entrepreneurial capacity building. Based on secondary data extracted through sources like the Periodic Labour Force Survey (PLFS), reports by MSME and MoFPI and case studies from institutional training schemes, the paper observes and analyzes women's participation levels in baking enterprises, socio-economic benefits emanating from such work, and challenges involving access to credit, training, and marketing. The research shows that employment related to bakeries is promoting women's economic autonomy and addressing wider rural development outcomes through self-help groups (SHGs), micro-enterprises, and PMFME and MUDRA schemes sponsored by governments. However, structural inhibitions like access to limited formal credit facilities, lack of technological appreciation, and gendered societal attitudes prevent full participation. The research concludes that scale-up baking-themed training is imperative; policy support needs to be strengthened; and connecting women entrepreneurs with broader marketplace avenues is necessary to meet rural development and gender parity outcomes as per India's constitutional vision.

Keywords: *Rural Development, Empowerment of Women, Bakery Sector, Food Processing, Employment, Constitution of India, MSME, PMFME*

Introduction

Rural development and women's empowerment have been main planks of India's developmental agenda ever since independence. On its seventy-fifth anniversary when the Indian Constitution is being remembered and commemorated upon, its ideals of equality, justice and inclusive growth hold particular significance for rural women who are afflicted with various socio-economic maladies. There has been unprecedented advancement in education and policymaking yet rural women are equally faced with challenges of unemployment and limited livelihood avenues and social inequality and thus their empowerment is an area critical to sustainable national development. In this light, the baking sector, as one element of the larger food processing sector, has become a convenient and potentially rewarding opportunity for women's work. Due to its low investment implications, uncomplicated technology, and stable demand for its services, it is appropriate for rural areas. Working with baking businesses not only brings economic autonomy to women but also enhances household stability, builds entrepreneurial skills, and achieves community-level development. Several schemes like the Pradhan Mantri Formalisation of Micro Food Processing Enterprises (PMFME), National Rural Livelihood Mission (NRLM), and MUDRA Yojana promoted women-headed micro and small enterprises located in food clusters.

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How to cite this article:
Koli, D. S., & Desai, M. B. (2025). Rural Development and Women Empowerment: A Study of Employment in the Bakery Industry in the 75th Year of the Indian Constitution. Journal of Research & Development, 17(9(V)), 160–163. https://doi.org/10.5281/zenodo.17695734

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17695734

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Moreover, institutional education and entrepreneurship development programs conducted by institutions like the Indian Council of Agricultural Research (ICAR) and non-government organizations have increased women's skills in baking and packaging and marketing. These programs align with the constitutional imperative to equity and justice and pinpoint women's economic contribution at the heart of rural progress. But there are institutional challenges to overcome. The women engaged with baking enterprises are often exposed to restricted access to formal credit facilities, restricted exposure to new technology, weak linkages with the market, and social constraints to their mobility and decision-making authority. The policy initiative and field reality gap creates a research imperative at various academic levels. The research paper endeavors to find out the link between rural development and women's empowerment and employment through bakery activities. The paper makes reference to secondary data from official surveys and reports and case studies to examine how employment through bakery activities promotes women's economic and social position. The paper goes further and identifies challenges remaining and suggests means through which micro-industries based on skills like bakeries can help realize India's constitutional concept of sustainable and inclusive development.

Objectives:

1. To examine the role of the bakery industry in creating employment opportunities for rural women in India.
2. To study government policies and schemes such as PMFME, NRLM, and MUDRA and their impact on women entrepreneurs in the bakery sector.
3. To identify the key challenges faced by rural women in entering and sustaining employment in the bakery industry, including access to credit, technology, and markets.
4. To suggest policy measures and strategies for strengthening women's participation in the bakery industry as a pathway to sustainable rural development.

Review of the Literature:

1. Women Empowerment through Food Processing – A Case Study (Goel, Singla & Singh, 2018)

The case study was carried out at Patiala, Punjab, with a sample size of 25 female participants involved in food processing activities. The research compared their socio-economic situations prior and subsequent to participation in the sector. The research indicated that 64% of respondents indicated enhanced standards of living, 60% indicated enhanced saving behavior, and 52% indicated enhanced knowledge and attitudes. Women felt empowered with enhanced confidence with respect to decision-making at household levels as well. However, challenges like high cost of productions, raw materials quality being poor, and limited mechanization constrained scope for expansion. The research concluded food processing can provide an effective route to women's empowerment, however, questions regarding sustainability and scale need to be addressed. The research is applicable as it illustrates outcomes on empowerment akin to those possible with respect to the baking industry.

2. Systematic Review on Women Entrepreneurship in Food Processing Sector (D'Silva & Bhat, 2022)

The present paper is a systematic literature review of research studies carried out during 1980-2022 on women entrepreneurship in food processing sectors. The paper combines various findings using ABCD framework (Advantages, Benefits, Constraints, and Disadvantages). The literature review reveals that women entrepreneurs have added significantly to rural economies but large gaps are there regarding access to finance, training, and marketing opportunities. The first major drawback identified is the absence of studies at a sector level, especially at bakery, dairy, or other micro food units level. The second finding is that studies are generally based upon small-scale surveys or qualitative interviews with limited scope for generalizability. The authors believe there is a need for further studies based upon quantitative data and policy studies. This is relevant to your research paper as it makes it clear there is gap—a lack of direct attention to bakery—and there is a reason to justify doing it.

3. The Relevance of Food Processing Industry in Women Empowerment: A Case Study of Prayagraj District (Khan & Singh, 2023)

The case study was conducted in Prayagraj district of Uttar Pradesh to study food processing industry's contribution to women's empowerment. The research noted women's presence in the industry being relatively lower and wherever it exists being restricted mostly to labour-intensive and low-skilled positions. Discrimination, social conventions, and lack of knowledge regarding schemes run by governments were noted to be key inhibitions. The research further noted the contribution of Self Help Groups (SHGs), by virtue of which some access to entrepreneurship was gained by women, albeit with profitability and scale remaining limited. In spite of all these restrictions, improvement noted by women was towards some increase in income, autonomy over finances and decision-making at home. The research noted the conclusion to arise as unless there is effective policy backing and community awareness is aroused regarding food processing and its contribution to women's empowerment, benefits to food processing by way of empowering women will remain restricted and marginal. For your paper, it illustrates structural challenges faced by women in the food industry with scope for comparing with bakery-specific situations.

4. Women Development through Cookery and Bakery Skill – A Case Study (Khot, 2022)

The paper looked specifically at the effect upon socio-economic status brought about by training programmes in cookery and baking skills. Participants comprised women who were trained in bakery skills, product preparation and in

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

some instances marketing and packaging. The research showed participants enjoying increased income opportunity, enhanced self-confidence and decision-making power at household and community levels. Some women began micro-enterprises involving baking and added to family income to enhance their standard of living. The research lacked scope and size with respect to samples and geographical coverage and failed to quantify long-term sustainability of Bakery enterprises. In spite of these drawbacks, research illustrates the direct empowering ability of employment in baking-related areas. This is particularly useful to your research since it ties rural women with baking skills and outcomes of empowerment all at once.

Methodology

The research is conducted using secondary data gathered through various sources like PLFS, reports from MSME, publications by MoFPI, documents by NRLM, and research-based academic journals. There is a descriptive and analytical examination to find out the involvement of women in the bakery sector and its effect on empowering them. The research is confined to rural areas and has pointed out both challenges and prospects for women involved in this sector.

Data Analysis and Interpretation

The table below provides major statistics regarding women's participation in rural MPKPY-covered areas of the food processing and bakery industries in India. The statistics reflect their work-force participation, entrepreneurship, and independence through skill development initiatives and micro-enterprises. These are good indicators of women's increasing contribution to rural employment and empowerment.

Source	Statistics	Year
PLFS	32.8% (female labour force participation)	2021
MoFPI	70.44 lakh women workers in food processing	2022
NRLM (Prayagraj)	2.8 lakh rural women self-reliant through SHGs	2025
MSME Report	71% women-owned micro-enterprises contributing to employment	2024

Table 1: Key Statistics on Women's Participation in Bakery and Food Processing

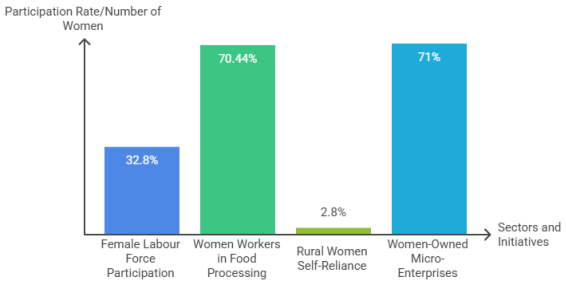

Diagram 1: Women's Participation in Indian Sectors

According to Indusfood, the bakery products market in India is experiencing significant growth, with strong potential for expansion in the coming years. Credence Research reports that the frozen bakery products segment is also witnessing steady growth, indicating rising demand for convenience-based baked goods. Additionally, Mordor Intelligence highlights the cake market as one of the fastest-growing segments in the Indian bakery industry. These sources collectively show that the bakery sector is poised for substantial growth, offering opportunities for women entrepreneurs and businesses rooted in local traditions.

Market Segment	Value (2023)	Projected Value (2032)	CAGR	Source
Bakery Products Market	$12.6 billion	$29.4 billion	9.8%	Indusfood
Frozen Bakery Products Market	$1.21 billion	$2.34 billion	7.53%	Credence Research
Cake Market	$2.10 billion	$3.95 billion	13.47%	Mordor Intelligence

Table 2: Market Insights Related to Bakery Industry in India

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

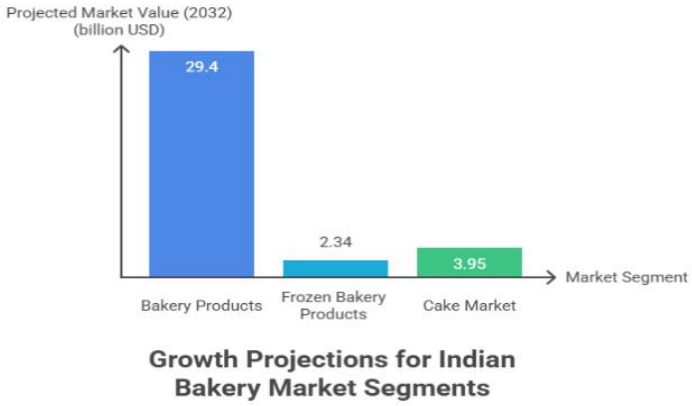

Diagram 2: Bakery Industry in India

Conclusion

The research points out increasing involvement of women in the baking and food processing industry in rural India during the 75th year of the Indian Constitution. Data and literature show that skill development initiatives, self-help groups, and micro-enterprises have empowered women financially and socially and increased their confidence level and decision-making capacities and contribution to family income. Given these initiatives, however, key challenges like restricted access to finance, technology, and marketing opportunity still hold back growth and long-term sustainability. The research points out the imperatives of policy support at selected levels, training schemes, and infrastructural development to further enhance women's involvement and create sustainable rural development.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Heart Lamp: The Light Exploring Love, Loss, Resilience and Identity of South Indian Muslim Women

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Manuscript ID:
JRD -2025-170941
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 164-166
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Heart Lamp by Banu Mushtaq, the winner of International Booker Prize for Kannada language is a defining chapter in the revolutionary literary history of Indian women writers. It represents the experiences of Muslim and Dalit women in South India which softly brighten out plights of Indian Muslim women, spotting gender-based injustices in Muslim communities. It is a collection of 12 short stories written in regional language of Kannada and translated by Deepa Bhasti which peeps into the lives of Southern Muslim women and girls. It centers on cruelty of religion, society, and politics which demand absolute obedience of women for smooth running of silent patriarchal power turning them into voiceless carriers of social norms. All these short stories, contemporary narrative of women's emotional world absolutely unexplored and unhindered by the Indian women writers. Heat Lamp is considered as a masterpiece of representation of Indian women's resilience against physical, emotional, and psychological violence, and their fight against restrictions under the cover of societal and religious norms reveals depth of their resilience and raises the question of women's identity in Indian society.

Keywords: women, identity, loss, resilience, exploitation, subordination, religious and cultural pressure.

Introduction:

Heart Lamp by Banu Mushtaq is written in Kannada language, a collection of 12 short stories exploring the inner world of south Indian Muslim women and girl during 1993 to 2023. These short stories cover the unsung subaltern world of Muslim women suppressed under the religious and cultural pressure which evokes the question of identity of women in Indian society. The title Heart Lamp does not represent only the power of inner soul of these women to illuminate their life with this light of their burning heart rather it focuses on the themes of gender issues, societal and religious pressure, power of patriarchy and the helplessness of women against this power. All stories reveal the hardships of Kannada Muslim women occupied with uncertainty of marital life and the question of their identity in the society. They smoothly underline the prevalent dogmatism and dominance of male which has the complete control over the lives of women. Every story exposes different aspects of women in Muslim community but the pivotal theme of patriarchy is found in different forms of father, son, husband and even the priests.

Banu Mushtaq has persuasively takes readers painful and uncertain world of these women by using a skilled narrative techniques along with her first hand experiences. Heart Lamp is an introspective tapestry of structure of power in Indian society. These short stories lay a hand on to multifaceted problematic angles of silence and vulnerability of women. The context of the book reflects over following themes recurrent in all short stories.

Objectives:

1. To analyze short stories with respect to Muslim community in India.
2. To understand the religious and cultural pressures reflected in these stories.

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How to cite this article:
Patil, S. G. (2025). Heart Lamp: The Light Exploring Love, Loss, Resilience and Identity of South Indian Muslim Women. Journal of Research & Development, 17(9(V)), 164–166. https://doi.org/10.5281/zenodo.17710703

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17710703
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

3. To analyze issues of women's identity and their resilience.
4. To study gender discrimination and power of Islam through these stories.

Marginalized Voices:

Banu Mushtaq represents revolutionary voice in Karnataka's Rebel Literature movement, which foregrounds on her feministic approach and secularism. Her revolutionary writing challenges existing patriarchal based hierarchy placing women at the lowest strata as voiceless. Her stark oppose for the insistence of *hijab* and the custom of *talaq* reflects through social involvement to erase the supremacy of male and to establish gender equality. All stories in the collection reassert the feminine strug gle for existence where they are absolutely left with the personal loss and frustration highlighting the marginalization and subordination of women in Muslim community. Depiction of domestic injustices in the name of tradition directly strikes the reader's mind revealing the worse lives of women.

Patriarchal Cruelty:

The stories in Hear Lamp depict the suffering of women whose lives are dictated and controlled absolutely by men which decides social customs suppressing women as second sex. The undoubted societal expectations mirrored through these stories highlights the cruelties of patriarchy. Women are left desolated along with her children without any cause, they are found helpless in front of patriarchy when husband of Aashraf abandons her for not giving birth to a boy. His irresponsible attitude towards his wife and sick daughter is not interrogated by the society. The way of leading life for every female character is fixed by her husband and even Mutawalli who is found male biased and corrupted supporting to the patriarchy system. The story Black Cobra starkly exposes power of patriarchy suppressing feminine existence and their demand for justice when Aashraf pleads for justice in her marital life, she is ignored by mutawalli and masque committee. "She begged them to make Yakub provide pleads for at least a little money for the child's medical expenses. The only answer she got was, come back later, come another way, go away." (51)

Societal Pressures:

Heart Lamp explores supremacy of religion and society which demands complete surrender from women, often leading towards their suppression and unbearable injustices. Blind faith in religious customs and ethics presses these women at the bottom of society as a meager, feeble and voiceless like Mehrun in Heart Lamp story. Her parents and brothers argue with her about impudence towards her irresponsible husband and force her to return home to die there. Social pressures for women through these stories pose a question of feminine identity. Male in Indian society are gifted with full license for leading unrestricted life crushing women's feeling under their feet. Mehrun is silenced by her brothers who complains about her husband's infidelity as, "Meher, what are you saying? This is too much. He is a man, and he has stamped on some slush, but he will wash it off where there is water and then come back inside. There is no strain that will stick to him." (102)

Gendered Injustice:

The narratives probe into themes of forced marriage, honor killings, and women diminished social status who are bound for domestic duties and destined for caring children, familial duties and obedience. Women are extremely suppressed for their supposed second sex and restricted them only in domestic duties, their right over parental property is crushed under male dominance and they are found desolate and helpless struggling for their identity. The story Fire Rain highlights the gendered injustice where women are denied their biological rights. Sakeena in Fire Rain is ignored by her rich brother who on the other hand helps poor and serves the community. Each story represents the inequality based on gender. The story The Red Lungi focuses on women's domestic world where they are engaged completely in following rituals and rearing lots of children.

Resilience and Resistance:

Despite unbearable suffering, the women in the stories demonstrate remarkable resilience and quiet resistance against the violence inflicted on them in the form of overt and subtle. The very structure of Heart Lamp constitutes its own radical act of resistance, rejecting the conventions of traditional storytelling. Unlike typical short story collections where the texts move towards the resolution of conflict, Mushtaq style leaves her protagonist's problem unanswered and unresolved. Mehrun in Heart Lamp is projected with ultimate resilience for her injustices and broken condition when she poured kerosine on her body unrest call by her daughter who stopped her from suicide as she was being comforted, touched and understood by a friend. She found existence valuable to someone, and the lamp ignited in her heart and thawed the darkness of night. Feminine resilience is clearly reflected in High Heeled shoes where Arifa forced by her husband to wear high heeled shoes against her wish, at the end of story she found great power in asserting her identity by successfully standing on those high heels. "Those high heeled shoes, as if from some great power, exploded into thousands of pieces, lit up like a meteor, fell somewhere, somewhere were obliterated." (131)

Mushtaq hardly concludes her stories happily, which underlines the suffocated, frustrated life and constrained reality of her characters. However, resistance is revealed throughout the collection by women characters, who at the same time assert themselves and protest to different aspects of injustice. The significant occurrence of

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

muteness and surrender of the protagonists leave readers restless for the system of oppression. Yet, Mushtaq plants seeds of resistance through characters like Zeenat in Stone Slabs for Shaista Mahal, Mehrun in Heart Lamp, she in *Be a* Woman Once, Oh Lord and Mehboob Bi in A decision of Heart. It is also exhibited through the symbols like a tubectomy in Black Cobras, a matchstick dropped in Heart Lamp which suggests that the change is possible in Indian patriarchal society.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Bridging the Rural Divide: Constitutional Provisions and Rural Development in India

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Manuscript ID:
JRD -2025-170942
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 167-169
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

This paper explores the pivotal role of the Indian Constitution in shaping rural development over the past 75 years. Byexamining the important constitutional provisions such as the Directive Principles of State Policy, the 73rd Amendment, and various fundamental rights, the study evaluates their impact on reducing socio-economic disparities in rural India. The research highlights the successes and challenges faced in implementing constitutional mandates aimed at rural empowerment, governance, and infrastructure development. Through an analysis of policy frameworks, governance mechanisms, and case studies, this paper seeks to provide insights into how constitutional provisions have contributed to bridging the rural-urban divide and fostering inclusive growth.

Keywords: *Indian Constitution, Rural Development, Directive Principles of State Policy, 73rd Amendment, Rural Empowerment, Inclusive Growth.*

Introduction:

India's development narrative has long been marked by a stark divide between its urban and rural landscapes. While cities have rapidly modernized, rural areas—home to nearly 65% of the population—continue to grapple with challenges such as poverty, lack of infrastructure, limited access to quality education and healthcare, and inadequate employment opportunities. This persistent rural-urban gap not only hinders inclusive growth but also threatens the social and economic cohesion of the nation. Recognizing the importance of rural development in building a balanced and equitable society, the Indian Constitution enshrines several provisions aimed at empowering rural communities. The constitutional framework has played a pivotal role in shaping rural development policy and implementation—ranging from the Directive Principles of State Policy, which articulate the vision of social and economic justice, to the 73rd Constitutional Amendment Act, which institutionalized Panchayati Raj Institutions (PRIs) to promote decentralized governance. This research paper explores the influence of constitutional provisions on rural development in India over the past 75 years. It assesses the progress made within this constitutional framework, examines the challenges faced by the government in implementing these mandates, and suggests measures to strengthen the constitutional role in future rural development efforts.

Objectives:

1. To assess rural development progress in India over 75 years within the frameworkof constitutional provisions.
2. To identify key challenges and gaps in implementing constitutional mandates for rural upliftment.

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How to cite this article:
Rao, Y. (2025). Bridging the Rural Divide: Constitutional Provisions and Rural Development in India. Journal of Research & Development, 17(9(V)), 167–169.
https://doi.org/10.5281/zenodo.17695919

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17695919
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

3. To synthesisinsights about how constitutional provisions succeed or fail in bridging rural divides.

Research Methodology: The study adopts a qualitative research approach, combining doctrinal analysis of constitutional texts with empirical case studies of rural development programs.Analysis of the Indian Constitution, government reports, policy documents, academic articles, and previous research studies related to rural development and constitutional law.

Scope: The research focuses primarily on the constitutional framework and its influence on rural development from 1950 to the 2024, with particular emphasis on governance, empowerment, and socio-economic indicators.

Limitations: The study acknowledges limitations due to varying regional contexts and the complexity of measuring development outcomes.

Rural development progress in India over 75 years within the framework of constitutional provisions.

1. Greater democratization & inclusion: The 73rd Amendment's reservation for women, SC/ST in Panchayats is widely documented. Works such as *"*Elected Women Representatives in Local Rural Governments in India: Assessing the Impact and Challenges*"* show that over 1.45 million women participate, giving local governance more inclusivity.

2. Devolution of functions & local governance in some states: States that have been proactive in devolving the functions listed in the Eleventh Schedule have seen better local infrastructure, better public service delivery. For instance, capacity in some Panchayats to plan and execute rural housing, water supply, minor irrigation etc. Many case studies note that where Gram Sabhas are active, they contribute to more responsive local planning. (E.g. studies of PESA in Scheduled Areas in MP, Odisha, Rajasthan).

3. Legal empowerment of tribal communities: Through PESA and FRA, tribal communities in scheduled areas have secured some formal recognition of their land/forest rights, decision-making powers via Gram Sabhas, customary rights. Some evidence of better welfare outcomes or more self-rule in places where these laws are more faithfully implemented.

Challenges and gaps in implementing constitutional mandates for rural upliftment.

1. Implementation gap: **A case study on "Assessing the Compliance of the Local Self-Governance Act for PESA in Jharkhand:** A Policy Review After Two-and-a-Half Decades" (Kindo & Bhowmick, 2024) **e**xamines how well PESA has been complied with in Jharkhand. Study finds that while there is legal awareness, many state and district level rules are not aligned; Gram Sabhas not always empowered. Many such studies found-out that while the constitutional and statutory provisions are strong in law, actual devolution of power, financial resources, administrative autonomy is uneven. State governments often retain control over major decisions even on subjects nominally devolved.

1. Finance & resource constraints: Panchayats often lack adequate funds or are dependent on higher level grants, often with stringent conditionalities (tied grants). The State Finance Commissions are sometimes ineffective or their recommendations are not fully implemented.

2. Institutional capacity: In many rural areas, Gram Sabha / Panchayat bodies lack administrative capacity, technical know-how, regular training, staff, bureaucratic support. This limits their functioning even when the legal authority is present. Also, overlap with other state departments can create confusion. A research on "Tribal Development and Welfare Through Panchayats: The Experience of PESA in Eastern Madhya Pradesh" (2023) had use primary and secondary data to analyze how PRIs in scheduled areas manage to promote tribal development and social justice. Study had identified success in certain welfare initiatives, but also barriers in implementation, administrative delays, overlapping jurisdictions, and lack of clarity in roles.

3. Cultural, socio-political barriers: Issues like local elites, patronage, asymmetric networks, caste, landholding disparities affect how power is exercised locally. Women representatives may exist in Panchayats but might not always have real influence. Studies of "patronage and power in rural India" show that local power structures often mediated the benefits of decentralization.

4. Conflict with other laws / normative mismatches: In Scheduled Areas, PESA's provisions often clash with forest laws, revenue laws, mining & land acquisition laws. Customary norms sometimes ignored. Some state laws have not been adapted to fully give effect to PESA or Gram Sabha powers. A study "Impact of PESA Act in Scheduled Areas: A Case Study of Rayagada District of Odisha" focused on whether PESA has led to self-autonomy in practice; looks at whether Gram Sabhas are actually involved in resource decisions, land alienation, etc. Study found that discrepancy between legal provision and actual practice—Gram Sabhas often bypassed; state laws not fully aligned.

6. Accountability, transparency, and oversight weaknesses: Some research argues that despite constitutional safeguards (e.g., reservation, elections), local bodies are vulnerable to corruption, lack of transparency. Gram Sabhas may be marginalized in practice. Also, tied grants or conditional transfers limit flexibility and reduce local responsiveness**.** *"*A Study on Challenges and Successes of PESA Act Implementation in Rajasthan*"*highlights that some areas have weak enforcement, with state departments uncooperative, lack of clarity, overlapping jurisdictions.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Synthesis

From the literature, several synthesiscan be draw-an insights about how constitutional provisions succeed or fail in bridging rural divides:

1. **Legal-institutional frameworks are strong, but they need robust implementation:** The 73rd Amendment and PESA provide a strong constitutional foundation. But many studies find that without state-level political will, adequate finance, administrative machinery, and adapted state laws, these frameworks do not going to be successful.
2. **Finance is central:** Devolution of functions without matching devolution of funds, personnel, capacity severely limits what local governments can do. Tied grants and conditionalities often reduce flexibility.
3. **Local context matters heavily:** Tribal areas, scheduled areas, different states differ in how laws are adapted. Social hierarchies (caste, gender, land ownership, power networks) affect actual power devolution. The capacity and attitudes of state government departments matter a lot.
4. **Citizenship participation (via Gram Sabhas, etc.) is uneven:** Where Gram Sabhas are active, decision-making, local planning, resource allocation tends to be more responsive; when they are marginalized, the rural divide remains or even deepens.
5. **Conflict and overlap between laws weaken outcomes:** For example, forest laws, revenue laws, mining regulations, environmental laws sometimes conflict with PESA or other tribal rights laws. Also, customary rights are often not formally recognized or protected.
6. **Judicial interventions and rights-based approaches help but are not sufficient:** Courts have played a role in interpreting constitutional provisions (e.g. environmental rights, rights to work, etc.), but practical enforcement remains an issue.

Conclusion:

Over the past 75 years, the Indian Constitution has served as both a guiding framework and a moral compass for rural development. Provisions such as the Directive Principles of State Policy, the 73rd Constitutional Amendment, and rights-based legislations like the Panchayats Extension to the Scheduled Areas Act (PESA), etc have laid the foundation for decentralized, participatory, and inclusive governance in rural India. Research reveals that while these constitutional mandates have facilitated important strides in democratizing rural governance, empowering marginalized communities, and improving access to basic services, their implementation has been inconsistent and often constrained by structural, administrative, and socio-political challenges. The gap between constitutional ideals and ground realities is most evident in regions where institutional capacity is weak, financial devolution is inadequate, and entrenched power hierarchies persist. Study highlights that legal provisions alone are not sufficient. Effective rural development demands a synergy of constitutional intent, political will, financial autonomy, administrative efficiency, and active citizen participation. States that have embraced the spirit of decentralization, adapted laws to local contexts, and empowered Gram Sabhas have seen more inclusive and sustainable outcomes. Going forward, strengthening the constitutional role in rural development requires renewed commitment to fiscal federalism, capacity-building at the grassroots level, alignment of state laws with constitutional mandates, and protection of community rights, especially in Scheduled and Tribal Areas. Bridging the rural-urban divide is not just a matter of policy—it is a constitutional obligation central to achieving social justice and equitable growth in India.

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Representation of Patriarchy, Sualternity and the 'New Woman' in Selected Indian Women's Short stories

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Manuscript ID:
JRD -2025-170943
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 170-172
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Women in India have been marginalized and subjugated since ages. The Vedic texts such as Manu Smriti legalised the century-old subjugation. Inhuman practices such as child marriage, Sati, and purdah etc. continued in India till recently. The social reformers in India such as Rajaram Mohan Roy, Jyotiba Phule and Savitribai Phule etc. with the help of the British fought for the rights of women and tried to change regressive social customs for women. Although, there were few Feminist thinkers in India who challenged the patriarchy on theoretical level till 19th century. The first attempt was made by Tarabai Shinde to give vent to the plight of women in India. In her book Stri-Purush: Ek Tulana (Man-Woman: A Comparison) published in 1882, she vehemently writes about the injustices inflected upon the women in India. She also, for the first time, asks for equal rights and opportunities for women in India. After the arrival of the British, things changed rapidly in India for women. The rise in educational institution throughout the country helped in sensitizing about the conditions of women across the country. In the 20th century one could observe the social change. Especially, after the independence of India, Indian women excelled in every field and openly asked for equal rights. The constitution of India, too, upheld the principles such as equality of opportunity and rights for women. Thus, the 'new woman' emerged in India who is educated, self-aware, enlightened and assertive; she would actively resist patriarchy control. Indian women writers, especially after 1980s, write about such women. Mahashweta Devi, for example, in her short story "Draupadi" writes about the fight of a woman who has been sexually harassed by the men in the village. The present paper deals with two such stories - "Draupadi" and "Magic City" by Ambai – to show how women writers in India deal with patriarchy and subalternity and how women India respond to injustice.

Keywords: *Patriarchy, Subalternity, New Woman, Feminism.*

Introduction:

The history of gender rights in India is quite interesting. Till the arrival of the British, women in India suffered incredibly. Evil customs such as child marriage, Sati, and *purdah* continued in India till the 19th century. Along with the social reformers in India, the British tried to break the unjust Indian traditions. Thus, William Bentick in 1829 abolished Sati with the help of Rajaram Mohan Roy. The socio-political scenario changed rapidly in the 20th century as women started receiving western education. More number of schools and colleges were opened in the 20th century and more and more women got the education which they had not received since centuries. Education helped women to become aware of their conditions. The western Feminist thinkers, too, encouraged Indian women to fight for their rights. Some women such as Tarabai Shinde had argued logically about the plight of women in the country. She had asked for equal opportunities and rights for women as early as 1882 in her book *Stri-Purush: Ek Tulana* (Man-Woman: A Comparison). A major change came in India after the independence. The Indian constitution upheld eqal rights and opportunities for women. Women writers in India have been writing about predicament of women through their poems, novels and short stories.

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How to cite this article:
Mane, S. B. (2025). Representation of Patriarchy, Sualternity and the 'New Woman' in Selected Indian Women's Short stories. Journal of Research & Development, 17(9(V)), 170–172. https://doi.org/10.5281/zenodo.17696057

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17696057

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Pre-independence Indian women writer's stories about women are rather pessimistic primarily evoking pity for them. However, many Indian women after the independence boldly wrote for women's rights; they depict the 'new woman' bravely fighting for themselves rather succumbing to patriarchy and social pressure. Two such writers Mahashweta Devi and Ambai alias Dr. C. S. Lakshmi in post-independence India write stories of women protagonists. The present paper analyses Mahashweta Devi's "Draupadi" and Ambai's "Magic City" to show how the protagonists in their stories challenge the status quo and how they help themselves to live better.

Postcolonial discourse and subalternity in Mahashweta Devi's short story "Draupadi":

The emergence of postcolonial studies in 1980s focused on history, culture, and literature of the Third World countries in Africa, Asia, and South America. It also proposes the concepts such as 'centre and margin' and 'mainstream and offstream'. The domination of European powers continued on their former colonies even in the 20th century, that is, long after the colonies became free. The western world even underestimated literature of the Third World countries casting it as peripheral. The western notion of 'high literature' even percolated in elite Indians, hence few wrote on the marginalized as their protagonists in their novels and short stories. Very rarely an Indian subaltern woman found central place in literary texts in India.

Indian elitist writers following colonial disdain for indigenous and tribals often marginalised them in literature, treating them with contempt. Thus, Indian literature could be seen as literature written by the upper class, for the upper class. The mainstream Indian literature is elitist and marginalised literature is primarily written about socially backward classes such as Dalit and tribal it is often named as subaltern literature. Further, postcolonial and subaltern studies have formed their own cannons and ways of studying them. However, the category of marginalised in Indian social context is manifold and cannot be fixed into one stereotype.

The Third World literature is often seen as literature of injustice, exploitation, and marginalization. Gramsci's notion of subaltern highlights voices of labourers, peasants, tribals, and indigenous people which have been suppressed for centuries. Gramsci opines that subalterns have been systematically kept away from power. Gramsci's idea of subaltern gains significance in the Indian context. Historians and cultural critics like Ranjit Guha and Gayatri Chakravorty Spivak have spoken about neglecting subaltern voices in Indian literature. In her seminal essay "Can the Subaltern Speak" (1988) Gayatri Chakravorty Spivak methodically presents how the dominant power structures have suppressed the voices of the subaltern in India.

Subaltern women are doubly marginalised as they are oppressed by the upper casts first, and secondly at home because of her gender. The voices of subaltern women have never been heard because they were never allowed to speak in the first place; their voices are disregarded by everyone. With the help of women characters in the Ramayana and Mahabharata Spivak extends her analysis of subjugation of subaltern women. She highlights the rebellion of Draupadi in the Mahabharata where she married to five men when getting a single husband for a woman was the norm. Taking this cue from Gayatri Chakravorty Spivak, Mahashweta Devi in her short story "Draupadi" presents how a modern Indian tribal woman like Draupadi in the Mahabharata asserts her identity and tries to avenge her molesters. Through her short story Mahashweta Devi exemplifies how literature can re-establish subaltern women's attempts to gain self respect. The central character in the story Dopdi embodies fighting spirit. Her personal act of defiance stands as a symbol of rebellion of all marginalised women. She stands as an example of "new woman" who refuses to surrender to male dominance and reclaims recognition on her own.

Dismantling patriarchy: generational resistance in Ambai's "Magic City":

Ambai's is short story "Magic City" demonstrates how women can break chains of patriarchy through collective action and resistance. It underlines the need for uniting for women to resist male domination, exploitation, and injustice. The story narrates how women in different generations in a family respond to patriarchy. It shows women's evolution from subjugation to strength, independence and freedom. Anusaya is the woman in the first generation in the story who represents confinement and exploitation. Metaphorically imprisoned in the house she becomes a symbol of submissive, dependent woman. She is denied freedom by not allowing her to step out of the house. The narrator says, "if the light fail on the eyes, Anusaya could not bear it since she never went out of her house. None of the female creatures in that house should cross the threshold. . . That is the tradition of the house".

In the house due to lack of sunlight and fresh air Anusaya becomes fragile, her body becomes soft like a doll. A doctor advises the family members to let her out for fresh air and her bed be placed near a window. But her suffering is no one's concern in the house. Her husband pays little attention to her as he is more worried about his daughter Krishna as she delights in going out of the house into the sun. This ordinary action of his daughter unsettles him and he sees it as a challenge to patriarchal tradition.

Krishna is truly the "new woman" as she resists patriarchal dominance. While Anusaya is a tolerant submissive woman, Krishna comes out as a defiant and a rebel. When she is denied schooling she questions her grandfather: "Why did you prevent me from attending school? I will start going from today." Unlike her mother, Krishna challenges every subjugation and injustice caused by her family. Her act of defiance reminds one Tennyson's "The Lady of Shalott" (1833), where the protagonist is punished by confinement. Krishna's self assertion provokes patriarchy. Her acts of rebellion astonish everyone - she burns the sari gifted by her husband, donates family jewellery

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

to Gandhiji and uses household funds for buying a spinning wheel. She even names her daughter Jhansi Lakshmi. Thus, the story compares and contrasts women of different generations in the family. Anusaya accepts saris and jewellery as a price for her freedom, strengthening patriarchal belief that women are subordinate to men. Krishna, on the other hand, rejects male chauvinistic attitudes by asking for dignity, love, and freedom. She does not bargain her freedom for expensive saris and jewellery. Krishna's acts of defiance further strengthen her daughter Jhansi to resist patriarchy, and ultimately Jhansi raises her daughter Geetha to resist subjugation. Mary Baker asserts that patriarchy gates strengthened not only due to domination but by accepting traditional gender roles, framed as devine or natural, by women.

The third generation woman, Jhansi shows the spirit of resistance. She says, "My body, my mind, my intellect, my response and my experience are my own". At one point in the story Jhansi takes her mother to a doctor to remove the nail that is fixed in her mother's neck. This act symbolises freedom of the age-old patriarchal values which are nailed into women's minds. Thus, the new woman helps the old woman to free from patriarchal bondage. The struggle of latter generation women prove Maitrayee Chaudhary's view that post-independence narratives hold women at the centre rather than at the periphery.

Geetha, the fourth generation woman, symbolises the ideal new woman whose voice could not be silenced and her progeny will never be suppressed under male domination. Geetha aspires to be a truly independent woman who would be on equal terms with men.

The short stories discussed in the paper reveal a sustained struggle of subaltern women as well as upper cast women against patriarchy. From Anusaya's passive submission, to Krishna's challenge to patriarchy, to Jhansi's assertiveness, and finally to Geetha's rebellion, Ambai's short story shows a steady progression of female characters towards becoming the "new woman". The "new woman" in them represents self aware, confident, and non submissive woman, who strives for equality of rights and opportunities. The stories selected for the paper suggest collective action from women for their liberation from patriarchy. They insist that only through solidarity the chains of patriarchy can be broken and a just, equal society be realized.

One could observe that "Draupadi" and "Magic City" are in the tradition of feministic writings, but at the same time they deviate from the conventional notions of freedom prescribed by feminism. In these stories the violated body of the woman becomes a symbol of subaltern defiance. Through the stories the narrators highlight personal struggle of women characters and critiques systemic oppression of women. They depict that destroying patriarchy is not an easy task, it could be done only through collective efforts; sometimes collective efforts across generations are required to break the chains of patriarchy. By presenting the fight of marginalized section of society, the writers showcase literature's role in fostering social change.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Postcolonial Subaltern Voices of Autobiographical Resistance in Baby Kamble's "The Prisons We Broke"

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Manuscript ID:
JRD -2025-170944
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 173-175
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract:

This paper analyzes Baby Kamble's "The Prisons We Broke" through the perspectives of postcolonial and subaltern studies, placing it within the context of Dalit feminist life-writing that confronts both caste and patriarchal oppression. As one of the pioneering autobiographies authored by a Dalit woman in Marathi, Kamble's narrative serves as a compelling account of the lived experiences of the Mahar community and its women, revealing the systems of domination that have perpetuated their subjugation. By referencing postcolonial theorist such as Gayatri Chakravorty Spivak, this study posits that The Prisons We Broke acts as a form of resistance literature, reclaiming agency for the subaltern woman who has historically been marginalized in mainstream narratives. Through its unfiltered portrayal of caste violence, gender exploitation and cultural marginalization, Kamble's autobiography transforms into both a personal recollection and a collective history, challenging hegemonic narratives while creating a new space for Dalit feminist identity.

Keywords: *Postcolonialism, Subaltern, Dalit Literature, Caste Oppression, Patriarchy.*

Introduction:

Baby Kamble's autobiography, The Prisons We Broke, called Jina Amucha, was first released in Marathi in 1986. It was translated into English by Dr. Maya Pandit in 2008. This autobiography is a seminal work in dalit literature and dalit feminist writing in India. Born into the Mahar caste, a group historically marginalized and labeled as "untouchables," Kamble's narrative goes beyond a personal memoir. She weaves her individual story with that of her community, making Jina Amucha not just a personal account but a socio-biographical work that highlights collective experiences. The book exposes the intertwined legacies of colonialism, caste-based hierarchy, patriarchy and economic hardship. Despite India's independence, many structural "prisons" such as social exclusion, untouchability and ritual pollution continued to restrict Dalit lives, especially those of Dalit women. Kamble's life and writing thus illustrate how postcolonial India remains deeply influenced by historical hierarchies and exclusions.

Kamble's autobiography serves as an act of resistance in multiple interconnected ways. First, by giving voice to what has traditionally silenced not only her own suffering but misery of the entire Mahar community. She highlights experiences of humiliation, untouchability, gender-based violence and economic struggle, while also emphasizing dignity, remembrance, education and social reform. Second, by writing in Marathi, initially publishing in vernacular media and narrating from within the Mahar "wada", Kamble resists elite and Brahminical literary and historical norms that often ignore Dalit voices. This study will analyze how The Prisons We Broke represents a subaltern voice through life-writing, showing how Kamble's narrative acts as resistance not only against caste and patriarchy but also against historical silencing and literary marginalization. It will explore how Dalit women's subaltern subjectivity is expressed through voice, memory and community; secondly how Kamble addresses both internal patriarchal challenges and external oppression; and also the transformative drive in her work, especially through education, Ambedkarite political awareness and a radical redefinition of identity.

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How to cite this article:
Waghmare, R. D., & Kadam, P. (2025). Postcolonial Subaltern Voices of Autobiographical Resistance in Baby Kamble's "The Prisons We Broke". Journal of Research & Development, 17(9(V)), 173–175. https://doi.org/10.5281/zenodo.17696115

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17696115
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Ultimately, the paper argues that Kamble's autobiography is more than a record of suffering it is a powerful reclaiming of historical agency and a rewriting of the "prisons" that have long confined Dalit lives.

According to Gramsci's theory and the Subaltern Studies collective's subsequent articulation, the term "subaltern" refers to people who do not fit into the prevailing systems of representation and power. In her seminal essay Can the Subaltern Speak?, Gayatri Chakravorty Spivak demonstrates how patriarchy and more general power structures like caste, colonialism, and class both serve to silence subaltern women in particular. Spivak claims that even when the subaltern tries to communicate, hegemonic discourse frequently mediates, distorts, or erases her voice. The Prisons We Broke by Baby Kamble is noteworthy in this regard since it directly addresses this silence. Kamble rejects mediation and instead gives Dalit women's experiences an honest, unvarnished voice, maintaining that their hardship and tenacity constitute a valid body of knowledge. In the autobiography, Kamble vividly documents the lives of women in the Mahar community, portraying them as trapped within intersecting structures of caste and gender. Hunger is a recurring theme in the text: children lick the remains of utensils after meager meals; families survive on coarse bhakris of jowar. Usually, the food had been stale and leftover from upper-caste households. Such descriptions resist sanitized versions of history and expose the brutal material deprivation of untouchable communities. These images of hunger are not merely individual anecdotes but collective memories of systemic exclusion, experiences that mainstream histories have deliberately erased.

Kamble also documents the way in which untouchability governed many facets of existence. The *Mahars* were considered as contaminants, separated into colonies outside the village and refused access to water sources. She remembers how upper-caste ladies poured water into pots while women were compelled to hold their pots at a distance, making sure that no direct touch occurred. Dalit women's daily lives were characterized by these humiliations, which reduced them to creatures whose very contact was viewed as tainted. These reports, however, are not merely mute observations. Kamble's account of her life becomes a counter-history of caste oppression, challenging the erasure of such histories from prevailing narratives.Within their own group, Dalit women were subjected to gender-based discrimination that went beyond caste lines. Kamble talks on the predicament of child brides who were transported to their husbands' houses when they were eight or nine years old, where they were forced to perform household chores and endure abuse from intoxicated and violent males. She refers to women as "beasts of burden," recognizing the fact that they toiled diligently in the fields, carried water, looked after children and suffered the most from caste-based and patriarchal abuse.

A Dalit feminist study, which contends that the experiences of Dalit women cannot be reduced to either Dalit male activity or upper-caste feminist concerns, finds resonance in this double subjugation. Their battle is distinct, influenced by the weight of both gender and caste at the same time. Thus, Kamble's story challenges the shortcomings of Dalit politics and mainstream feminism, resulting in what Sharmila Rege has called a particularly Dalit feminist perspective. However, Kamble does not limit her autobiography to merely recording her pain. Additionally, she reveals the duplicity of Brahmanical rites that profited from Dalit exploitation. She describes how *Mahar* women were expected by upper-caste households to clean the remnants following feasts, gathering food scraps and bones that their own families subsequently ate to stay alive. These sections expose the inconsistencies between pollution and purity, demonstrating how the so-called "pure" castes dehumanized Dalit bodies while still relying on Dalit labor. Kamble reclaims space for Dalit voices in a language that had historically silenced them by exposing these inconsistencies and shattering the myth of caste purity from within.

The introduction of Dr. B. R. Ambedkar's teachings into the Mahar community marks a sea change in the story. Women started wearing clean saris, sitting on seats instead of the floor, sending their kids to school and asserting their dignity in daily life when Ambedkar encouraged them to do so, according to Kamble. Ambedkar's support of education and self-respect helped Dalit women become more powerful and Kamble's writing of the autobiography is a part of this Ambedkarite heritage. Kamble shows that Dalit women might communicate, but only by going outside of elite frames and establishing their voices through their own idioms, dialects and lived realities. Spivak warns that the subaltern woman cannot legitimately "speak" inside dominating systems. This makes The Prisons We Broke more than just a personal memoir; rather, it is a communal feminist statement that defies patriarchal silence and casteist erasure. Kamble employs techniques of resistance through her unadorned approach, her unreserved focus on women's suffering, and her decision to recount her experiences in Marathi. She spoke for a whole group of women whose lives had been disregarded, not just for her. The work serves as an example of how Dalit women redefine subalternity by turning oppression into resistance, erasure into counter-history and silence into speech.

Baby Kamble portrays hunger as the distinguishing characteristic of Dalit life in The Prisons We Broke. She remembers how the Mahars subsisted on rough jowar bhakris and leftover food by upper caste and how occasionally even this meager food was inaccessible. She talks about how moms frequently starved themselves to make sure their kids got a few bites to eat and how kids would "lick utensils" after eating in an attempt to taste whatever food was left. It emphasizes how Dalits were dehumanized and denied access to food by upper-caste society, which also forced them to adopt survival techniques that were never recognized in popular history.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Additionally, the book emphasizes untouchability in its most unadulterated forms. According to Kamble, the Mahars were not allowed to use public wells for water. Rather, they were forced to watch from a distance as women from higher castes filled their pots with water, being cautious to avoid making physical contact. She can still clearly recall the humiliation of waiting for water for hours in the sun only to be ignored or abused. In addition to physical segregation, the enforced distance represented a strongly ingrained social hierarchy. Kamble reveals the harsh mechanisms of caste that governed even the most fundamental facets of living.

The autobiography also frequently discusses the predicament of Mahar women in patriarchal systems. According to Kamble, females were married off when they were just eight or nine year's old, becoming wives and domestic helpers before they ever reached puberty. These girls were sent to strange homes where they suffered from hunger, abuse and never-ending work. She acknowledges the way Dalit women were compelled to work in fields, collect water, raise children and endure the brutality of alcoholic husbands by calling them "beasts of burden." Their dehumanization is starkly highlighted by the phrase, which treats them more like tools of labor than like sentient beings. In addition to criticizing her own society, Kamble also highlights the hypocrisy of Brahmanical ceremonies. She notes how Mahar women were relied upon by upper-caste households to clean up after village feasts, gathering bones and scraping away leftovers that the Mahars' families subsequently ate. These incidents serve as scathing critiques of how the upper castes' myth of "purity" was constructed around the exploitation of Dalit labor, in addition to being memories of poverty. Kamble's story exposes the brutality, starvation and humiliation that lie beneath the joyous descriptions of ceremonies that have been preserved in upper-caste histories.

The Prisons We Broke also chronicles moments of change spurred by Dr. B. R. Ambedkar in spite of this widespread oppression. Kamble remembers how his lectures on self-respect and knowledge started to change the Mahar community. Women began to embrace new customs that represented dignity and wear spotless saris. They challenged the monopoly of upper-caste knowledge systems by sending their kids to school. Kamble highlights the importance of these adjustments, pointing out that entering a classroom or sitting on a chair rather than the floor was a protest against decades of dehumanization. Thus, the story shifts from hopelessness to resistance around Ambedkar's impact, and Kamble's own act of writing her autobiography is a component of this Ambedkarite struggle for justice and dignity. In The Prisons We Broke, Baby Kamble's decision to use her life as a voice for the entire Mahar community is an example of autobiographical resistance. She turns autobiography into a political act by transforming memory into a social witness of Dalit suffering rather than a personal narrative. Her story reveals the fallacious promise of independence, demonstrating that caste isolation, hunger and humiliation were not eliminated for Dalits.

Kamble emphasizes the interdependence of individual and collective experience by speaking in the collective "we," which challenges the individualistic tone of traditional autobiographies. The silences of prevailing caste narratives are challenged by her unvarnished portrayals of poverty, social shame and dehumanizing labor. She also criticizes gender inequality, depicting Dalit women as being oppressed by both patriarchy in their own homes and caste society. Because the book is founded on Ambedkar's views on education and dignity, it also evokes hope. By verifying identity and resisting erasure, Kamble's writing itself becomes an act of revolt. Thus, in The Prisons We Broke, personal memories are turned into a demand for freedom and a mass demonstration, embodying autobiographical resistance.

In conclusion, by converting individual memory into a collective story of resistance, Baby Kamble's The Prisons We Broke exemplifies the postcolonial subaltern voice. Her autobiography gives voice to long-silenced voices by upending caste-bound and dominating nationalist histories. Kamble fights caste hierarchy and patriarchy by revealing the Mahar community's ongoing marginalization following independence and drawing attention to the dual oppression experienced by Dalit women. Her writing, which is based on Ambedkar's vision, transforms from a chronicle of pain into a statement of empowerment and dignity. It affirms the subaltern's agency to speak, recall, and redefine identity from the margins as an autobiographical work of resistance.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Economic Inequality in India: A Study of 75 Years

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Manuscript ID:
JRD -2025-170945
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 176-179
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

India's economic progress since independence has been remarkable; however, the benefits of growth have not been equitably distributed. The present paper examines the trends of economic inequality in India from 1950 to 2023, focusing on the growing disparity between rich and poor. Using secondary data from sources such as NITI Aayog, World Inequality Lab, and Oxfam India, the study reveals that while poverty rates have declined, income and wealth concentration among the top 10% and 1% has intensified. The Gini coefficient indicates a persistent rise in inequality, particularly after liberalization in 1991. The research highlights structural causes such as unequal access to education, healthcare, and employment opportunities, leading to the marginalization of vulnerable groups. The paper suggests multi-pronged policy interventions including progressive taxation, inclusive economic reforms, equitable access to education and health, and stronger social welfare programs. Reducing inequality is essential for achieving sustainable and inclusive growth and realizing India's vision of becoming a developed nation by 2047.

Keywords: *Economic Inequality; Income Distribution; Poverty; Gini Coefficient; Liberalization; Inclusive Growth; Social Justice; Wealth Disparity; India @75; Sustainable Development.*

Introduction:

India is one of the most unequal countries in the world. Despite tremendous economic progress particularly after introduction of new economic reforms India is facing many problems like unemployment, population and hunger; but economic inequality and poverty are the two most serious issues facing the country today. These two issues / problems are interconnected and mutually reinforcing each other, making them the biggest obstacles to sustainable development. Even if the poverty rates have decreased over time, but social and economic inequalities are still being created by the widening income and wealth gaps. From a mainly agrarian economy in the 1950s to a modern, globally integrated, and technologically advanced market, income gaps have grown significantly. Despite rapid economic growth in recent decades, the gap between rich and poor has widened, with a significant portion of population struggling to access basic services such as education, health care and employment opportunities. This paper analyse the trend of income inequality in India from 1950 to the present and suggest strategies for reducing income inequality in India.

Objectives of research paper:

Following are the main objectives of the paper:

1. To analyse the trend of income inequality in India from 1950 to the present.
2. To examine the rich -poor gap in India and suggest policy measures.

Research Methodology:

The present research paper is based on published official secondary data and information. Information has been collected mainly from various books, research articles, journals, and public documents. Secondary data has been collected mainly from reports of NITI Aayog published by Government of India, world inequality report 2024, Oxfam India inequality report, reports of WIL (World Inequality Lab), and reports / working paper of Oxford Poverty and Human Development Initiative (OPHI), etc.

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How to cite this article:
Yadav, S. B. (2025). Economic Inequality in India: A Study of 75 Years. Journal of Research & Development, 17(9(V)), 176–179. https://doi.org/10.5281/zenodo.17696232

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17696232
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Secondary data collected from various sources have been tabulated and interpreted.

Overview of Economic Inequality:

Economic inequality refers to the uneven distribution of wealth, income and opportunities among individuals or groups within a society. Economic inequalities consist of (a) income inequality, (b) wealth inequality, and (c) consumption inequality. Main causes of India's extreme inequality in people's live are lack of resources, social discrimination, unequal access to quality education and poverty. Despite high economic growth, income inequality remains a critical issue, with disparities in wealth distribution and regional development. As wealth is concentrated within a small number of people, rising income disparity may result in increased rates of poverty. For those with lower incomes, this concentration may restrict access to basic services like healthcare and education, resulting in a vicious cycle of poverty. Following table No. 1 shows income inequality in India and the share of population in national income.

Table No. 1: India's National Income Share (%)

Class / Population		Year							
		1951	1961	1971	1981	1991	2001	2011	2022
Bottom 50%	Share in National Income	20.6	21.2	22.8	23.5	22.2	20.2	15.3	15
Middle 40%		42.8	41.6	42.7	45.8	43.7	38.9	30.5	27.3
Top 10%		36.7	37.2	34.4	30.7	34.1	41	54.1	57.7
Top 1%		11.5	12.7	11.6	6.7	10.2	16.7	21.1	22.6
Top 0.1%		4.4	4.9	3.8	1.8	2.7	5.4	8.3	9.6

Source: World Inequality Lab Report, 2022-23.

The above table shows income inequality in India between 1951 and 2022, which divides the population into the bottom 50 percent, middle 40 percent, top 10 percent, top 1 percent, and top 0.1 percent of the nation. It shows that inequality decreased from post independence until the 1980s with the share of national income of top 10 percent people falling from 37 percent in 1951 to 30% in 1982. This reduction was most likely caused by the broadly socialist policy agenda pursued by the Indian government till the 1980's. This included tight market regulation, high tax progressivity and the nationalization of the banks, oil, rail and aviation Industries, and introduction and rigorous implementation of various schemes and programs for the weaker sections of the society. The Indian government began implementing wide range of economic reforms in the early 1980s, which eventually resulted in liberalization, privatization and globalization in 1991. As a result, share of the top 10 percent population began to rise, reaching about 60 percent starting in 2016. The average annual national income of the Indian population is Rs. 2, 34,551 in 2022-23. The bottom 50 percent population earned Rs 71,163, while the top 10 percent earned over 20 times more (Rs 13,52,985). Despite the progress in the post-pandemic period, income inequality in India in 2023 is still higher than it was in the 1950s.

Measurement of Income Inequality:

The disparity in the distribution of income throughout the population is known as income inequality. Income inequality is measured by Gini Coefficient. The Gini coefficient measures the extent to which the distribution of income among individuals or households within an economy deviates from a perfectly equal distribution. Gini coefficient score lies between 0 and 1. When coefficient is 0, then it represents perfect equality and if it is 1 implies perfect inequality. If value is higher means greater inequality.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Table No. 2: Gini Coefficient of India

Year	Gini coefficient
1950-51	0.371
1961-62	0.367
1967-68	0.463
1975-76	0.416
1994-95	0.425
2004-05	0.475
2013-14	0.399
2015-16	0.395
2020-21	0.528
2022-23	0.410

Source: World Inequality Lab Report 2022-23

The above table shows Gini Coefficient of income inequality in India. In 1950-51 Gini coefficient of income inequality is 0.371, which is lower than 2022-23 i.e. 0.410. In 1950-51 and 1961-62, the Gini coefficient was similar. However, in 1967-68, it had increased upto 0.463 despite green revolution in the country. Nationalization took place in 1969. The key objectives were to expand financial access to rural areas, prioritize lending to priority sector i.e. agriculture and small industries, weaker sections. Due to financial inclusion and credit expansion, Gini coefficient has reduced up to 0.416. In 2020-21, due to adverse effect of corona pandemic the Gini coefficient had risen to 0.528. Since independence, the trend of income inequality has been increasing.

The Rich -Poor Gap in India:

Despite economic growth, poverty alleviation remains the main goal of the country. Recent statistics shows that India has almost eradicated extreme poverty. But due to economic inequality, the gap between rich and poor is widening. Despite progress in post-pandemic period, income inequality in India in 2023 is still higher than it was in the 1950. The top 10 percent population holds 57 percent of the total national income, including 22 percent population held by the top 1 percent, while the bottom 50 percent population holds just 13 percent in 2022. India's number of billionaires has increased since 1991, when it opened its market to foreign investments. Asia's two richest men are Indians. Forbes billionaires ranking shows that the number of Indians with net wealth exceeding one billion dollars rose exponentially, while minimum salaries have hardly improve over a time. According to Oxfam India inequality report, 1991 the number of billionaires was 2 in 1991, the country had 102 billionaires in 2020 and by 2024, the number is raised to as many as 185. India is a poor and highly unequal nation with a wealthy elite people. The middle class in India is respectively poor with an average wealth of Rs.7,24,930 or 29.5 percent of the country's total income, compared with the top 10 percent and 1 percent who own 65 percent (Rs. 63,54,070) and 33 percent (Rs.3,24,49369) respectively. In 2022-23, the average annual income of the top 1% was 53 lakh, which was 23 times more than the average annual income of the typical Indian earned (Rs.2.3lakh).

Even though India ranks fifth in the world by GDP and is recognized as one of the fastest growing major economies, inequality and poverty have not decreased significantly. According to the recent UNDP report on Asia-Pacific Human Development, in the time India added nearly 40 billionaires and 46 million Indians fell below the poverty line. This trend has continuously widened the income gap. It means the rich are becoming richer much faster than the poor.

Strategies for Reducing Economic Inequality and Poverty:

Reducing the rich-poor gap and inequality in India requires a multi-faceted approach, addressing economic, social, and structural issues. Reducing inequality is a long-term process that requires political will, social awareness, and sustained efforts across multiple sectors. Here are some strategies:

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

1. **Economic reforms for inclusive growth:** It is necessary to promote labor-intensive industries like manufacturing, agriculture, and services to create more jobs, especially in rural areas. Government should support small businesses. It should provide easier credit, subsidies, and infrastructure to small and medium enterprises (SMEs), which generate significant employment. It should implement fair tax policies where the wealthy contribute more, and reduce tax evasion through stricter regulations.
2. **Education and Skill Development:** Universal quality education should be provided throughout the country. Government should improve public education systems, focusing on quality teachers, infrastructure, and curriculum in government schools. Vocations training is must. Government should expand skill development programs tailored to industry needs, helping youth from underprivileged backgrounds which gain employable skills.
3. **Healthcare Access:** It should be strengthen public health infrastructure to provide affordable healthcare to all, reducing out-of-pocket expenses, which were putting families into poverty. It should be addressed malnutrition and poor sanitation, which are major barriers to human development, particularly among the poor.
4. **Social Welfare Programs:** Direct Benefit Transfers (DBT) is important in reducing corruption and leakages, and enhancing transparency. Subsidies and welfare benefits should be reached the intended to beneficiaries without leakages. It improves efficiency and targeting. Poverty alleviation schemes should be implemented rigorously. It should strengthen schemes like MGNREGA, PDS and rural development programs to provide a safety net for the vulnerable.
5. **Land and Agricultural Reforms:** It should be ensured fair distribution of land and secure land rights for small farmers and tribal communities. There should be agricultural support. Government should ensure better prices for crops, access to markets, modern farming techniques, and crop insurance.
6. **Gender and Social Equality:** Various schemes and programs should be introduced to empower women. It should be promoted gender equality through education, legal rights, and economic opportunities for women. It should be addressed caste inequality.
7. **Urban-Rural Development Balance**: There is regional imbalance in the country and within the various states. Government should improve connectivity, electricity, clean water, and sanitation in rural areas to reduce migration pressure on cities. Government should develop rural areas with modern amenities to create economic hubs outside the urban

Conclusion:

In order to ensure sustained economic growth and promote social cohesion, income disparity must be addressed. Experts recommend progressive taxes, healthcare and education investments, labour rights protection, and inclusive economic policies as ways to slow the growing disparity. As wealth is concentrated within a small number of people, rising income disparity may result in increased rates of poverty. For those with lower incomes, this concentration may restrict access to basic services like healthcare and education, resulting in a vicious cycle of poverty. The generation of non-farm jobs, progressive taxation on income and wealth, and social expenditure on health, education, and infrastructural facilities are some mammoth tasks the country needs to undertake to create a fair and equitable society. Although India is known as a poor and highly unequal country, inclusive growth is important as it strives to become developed nation by 2047. This requires improving the living standards of people at the bottom of the economic pyramid and reducing income inequality.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Diaspora and the Indian Constitution: A Critical Perspective

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Manuscript ID:
JRD -2025-170946
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 180-182
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

This paper studies the relationship between the constitutional framework of India and the Indian Diaspora. Paper explores how constitutional provisions, statutory schemes, and state practices engage with the transnational lives of Indians abroad, from questions of citizenship, rights and political participation to cultural identity, constitutional values and the normative limits of constitutional obligations. Using a critical lens informed by Diaspora studies and constitutional theory, the paper argues that while the Indian Constitution contains deep commitments to equality, secularism and democratic participation, its formal structures (and related statutes) show ambivalence toward transnational belonging. The paper is concluded with suggestions for policy and research to align constitutional principles more coherently with the lived realities of a global Indian population.

Keywords: *constitutional, framework, Diaspora, transnational, obligations, participation etc.*

Introduction:

The modern Indian state is not confined to its territorial boundaries. Millions of persons of Indian origin live, work and raise families abroad. This Diaspora connects back to the homeland economically (remittances and investment), culturally (religion, language, media), and politically (lobbying, electoral influence). The Indian Constitution, a sovereign, territorial document adopted in 1950 was drafted at a time when mass overseas migration and transnational citizenship were recognized but not the dominant features of a postcolonial global order. Over the intervening decades, constitutions, statutes and policy instruments have attempted to respond to the new realities. This paper surveys how the constitutional framework interacts with the Diaspora and offers critical perspectives on gaps and tensions.

Theoretical framework: Diaspora and constitutional belonging:

Diaspora studies draw attention to dispersed communities whose identity and practices cross national borders (Cohen 1997; Brah 1996). Diasporic belonging is often layered: legal citizenship, cultural identification, economic ties, and political engagement do not always overlap. Constitutions traditionally anchor rights and duties to territorial citizenship; Diaspora life complicates that picture. A constitutional lens distinguishes between formal legal membership (citizenship), rights (fundamental rights and socio-economic entitlements), and the symbolic recognition of belonging (constitutional values like secularism, cultural pluralism and dignity). A critical approach asks: Do constitutional categories adequately capture Diaspora relations? If not, what normative reforms or interpretive strategies are possible?

Constitutional provisions relevant to the Diaspora:

- Citizenship and the constitutional text

  The Constitution of India (Part II, Articles 5–11) originally set out citizenship at the time of the Republic's commencement. These provisions were supplemented and largely operationalized by the Citizenship Act, 1955. Core issues for the Diaspora include the modes of acquiring and losing Indian citizenship, the absence of dual citizenship in Indian law, and the emergence of quasi-membership schemes.
- Elementary Rights and extraterritorial reach

  Fundamental Rights (Part III) protect persons and citizens against state action.

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How to cite this article:
Kiran S. Patil, K. S. (2025). Diaspora and the Indian Constitution: A Critical Perspective. Journal of Research & Development, 17(9(V)), 180–182. https://doi.org/10.5281/zenodo.17696290

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17696290
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Indian courts have interpreted some rights as extending to "any person" in India but typically not to acts occurring entirely outside Indian territory. Consequently, the practical protective reach of constitutional rights over Diaspora populations is limited.

- Directive Principles, cultural recognition and state policy

  Directive Principles of State Policy (Part IV) articulate values such as promotion of educational and cultural rights — that inform state policy but are non-justifiable. They can frame Diaspora engagement policies but do not create enforceable remedies for persons abroad.
- Statutory and policy instruments that mediate Diaspora relations

  The Citizenship Act, 1955, governs acquisition, surrender and deprivation of citizenship. Important policy responses to Diaspora needs include the introduction of the Overseas Citizenship of India (OCI) scheme (2005), which grants a lifelong visa, economic and property concessions, and limited rights of residency but explicitly not political rights and not formal dual citizenship. The absence of full dual citizenship reflects constitutional and policy caution about divided loyalties, but also generates practical difficulties for Diaspora engagement and affects family reunification, political participation and investment incentives.
- Voting rights and political participation

  India's voting rules generally require in-country residence or special facilitation; expatriate Indians have faced constraints in remote voting or absentee voting. Limited mechanisms for Diaspora political participation can weaken the democratic link between migrants and the polity.
- Consular protection, welfare schemes and representation

  State practice has included consular protection, Diaspora-targeted investment and cultural diplomacy programs. However, there is no formal constitutional mechanism for Diaspora representation (such as reserved parliamentary seats) despite proposals and advocacy.

Significant problems and tensions:

1. Constitutional liminality: membership without political voice

OCI status provides many benefits but denies political rights (no voting, no contesting elections). This creates a luminal status: individuals are welcomed economically and culturally but excluded from formal political voice. From a constitutional-democratic perspective, this raises questions about fairness: if Diaspora members shape the economy and influence domestic politics indirectly, is it just that they lack direct political agency?

2. Inequalities and gendered exclusions in nationality law

Citizenship law historically contained gender-discriminatory presumptions (e.g., laws dealing with transmission of citizenship through mothers vs fathers). While statutory reforms have remedied much explicit discrimination, Diaspora families still face gendered complexities in transnational marriages, children born abroad, and deportation risk. These create intersectional vulnerabilities where constitutional promises of equality meet patriarchal administrative practices.

3. Human rights and extraterritoriality

Constitutional protections are territorially bounded; Indian courts are cautious about extraterritorial application. This means that Indian citizens or persons of Indian origin abroad may have limited recourse in relation to Indian state actions or inaction that affect them (for instance, denial of consular help, revocation of documents). Global human rights norms, however, increasingly contemplate states' transnational responsibilities (e.g., in matters of trafficking, consular protection), producing a normative tension.

4. Financial instrumentalization vs. substantive inclusion

The state's active courting of remittances, investments and philanthropic capital from the Diaspora can produce instrumentalization: Diaspora members are valued primarily for economic contributions. This stands in tension with constitutional ideals of dignity and equality if economic value determines the degree of inclusion and recognition.

5. Cultural pluralism and the politics of identity

The Diaspora maintains and often reshapes Indian cultural forms abroad. The Constitution's commitment to secularism and cultural pluralism can justify recognition of Diaspora cultural expression. Yet when Diaspora communities advocate for religious or cultural positions that clash with domestic minority protections or public order concerns, the state must balance transnational identity politics and constitutional commitments. Diaspora lobbying can also influence domestic identity politics in ways that complicate minority-majority relations within India.

Jurisprudential and theoretical reflections:

Constitutional theory emphasizes that constitutions are living documents responsive to social transformations. A jurisprudential response would ask how constitutional interpretation can accommodate transnational belonging without diluting core constitutional values. Concepts such as "constitutional personhood" and "constitutional dignity" might be extended interpretively to recognize certain transnational entitlements (for example, facilitating political voice or protecting family reunion) while maintaining sovereign prerogatives.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Normative principles for reform:

From a rights-based standpoint, three normative principles are salient:

1. Non-arbitrary inclusion: Legal categories like OCI should not create arbitrary hierarchies of rights contingent on economic utility. The Constitution's equality guarantee suggests reforms to minimize arbitrary differentiation.

2. Procedural justice: Diaspora members seeking fuller inclusion must have transparent, accessible procedures for citizenship acquisition, naturalization and retention. Administrative clarity is a constitutional good.

3. Democratic reciprocity: If Diaspora members can materially and politically influence domestic affairs (through lobbying, investment, or media), democratic reciprocity suggests exploring mechanisms for political participation (e.g., absentee voting, Diaspora parliamentary seats) compatible with constitutional safeguards.

Conclusion:

The Indian Constitution communicates foundational commitments to equality, dignity and participatory democracy, yet the legal architecture governing Diaspora belonging is marked by ambivalence. Statutory innovations (OCI, consular programs) have facilitated practical links but also produced luminal categories and inequities. From critical and normative perspectives, alignment between constitutional values and Diaspora policy calls for reforms that minimize arbitrary differentiation, enhance political reciprocity and protect vulnerable groups, particularly women and the constitutionally marginalized. Addressing these challenges requires careful constitutional interpretation, legislative clarity and evidence-based policymaking so that India's constitutional democracy genuinely speaks to its people, whether on the subcontinent or dispersed across the globe.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

The Psychological Aspects of reservation in the Indian Constitution

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Manuscript ID:
JRD -2025-170947
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 183-185
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The constitution of India aims at social justice by providing policy of reservation and also provides an impact on the psychological aspect of reservation that tries to implement historical injustices and tries to achieve really equality. The famous of the Indian Constitution specially Dr. B.R. Ambedkar provided ideals of Liberty, equality and fraternity as provided in Indian Constitution would remain un accomplished unless the structural disadvantages of historical oppressed groups. Before the inception of constitution, British Raj and earlier government system were unable to provide equal rights and justice to untouchables and other weaker sections of society. It's the constitution of India made real transformation in value system, administrative mechanism, judicial approach and protective policy for them.

Keywords*: Indian Constitution, Reservation, Social Justice, Psychological Impact, Equality, Caste, Ambedkar Thoughts, Legal-Psychological Perspective.*

Introduction:

Indian constitution provides Equality which was exactly new concept to accept and adopt in Indian Society. If we consider past experiences of social events in India, the concept of social justice is again a new concept with a modern judicial system where every individual not only treat with equal opportunity but also with equality treatment and equal protection. Those who do not had voice were suppressed by social system got special protection by constitution through written policy of reservation. For centuries, Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs) suffered systemic humiliation, economic exploitation, and educational exclusion. The policy of reservation emerged as a revolutionary instrument that ensured representation, dignity, and inclusion.

This paper seeks to unfold psychological dimension viewing reservation not mearly as a legislative or administrative policy but as a form of emotional redress and social reconstruction that influences individual identity, belonging and institutional trust and also expresses effect of participation in working democracy that reflects in their personal upliftment as individual at financial and social level, societal improvement at participatory and contributory level for nation building.

Objectives:

The principal aim of this research is to undertake an integrated analysis of the psychological, socio-cultural, and legal implications of reservation policy in India. Specifically, it seeks to:

- Examine how reservation addresses historical injustice and systemic exclusion.
- Understand how it generates hope, self-respect, and aspiration among marginalized communities.
- Explore the psychological conflicts arising from the debate between "merit" and "privilege," and from associated stigma or self-doubt.
- Use data from education and employment to demonstrate the psychological outcomes and representational dynamics across social groups.

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How to cite this article:
Nalawade, J. V. (2025). The Psychological Aspects of reservation in the Indian Constitution. Journal of Research & Development, 17(9(V)), 183–185. https://doi.org/10.5281/zenodo.17696364

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17696364
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The Psychological Role of Reservation

1. Healing Historical Trauma

For communities that endured centuries of exclusion, representation is not merely symbolic—it signifies an existential reaffirmation. The realization that "we too belong to this system" rebuilds self-confidence and collective identity, countering internalized inferiority and alienation.

2. Hope and Aspiration

Reservation creates a path for social mobility and challenges the deeply ingrained mindset of learned helplessness—the belief that one's fate is fixed. It stimulates psychic energy for aspiration, empowering younger generations to dream beyond inherited limitations.

3. Sense of Belonging

When marginalized individuals find representation in institutions, administration, and the judiciary, it strengthens their feeling of belonging and legitimacy within the nation. This embodies the psychological essence of fraternity, as envisioned in the Preamble of the Constitution.

Psychological Challenges and Tensions:

1. Perceived Injustice:

Among non-beneficiary groups, there often emerges a sentiment of relative deprivation—a belief that "we are being penalized for the sins of the past." This perception fuels social tension and moral dissonance, generating emotional distance between communities.

2. Stigma and Merit:

Beneficiaries of reservation frequently encounter social stigma—the presumption that their achievements are due to special privilege rather than merit. This leads to self-doubt and the constant psychological burden of validation stress, compelling them to prove their competence repeatedly.

3. Competition and Alienation:

With limited opportunities, competition between reserved and unreserved categories intensifies. This competitive stress paradoxically strengthens caste identities, making the vision of a "casteless society" more difficult to attain.

Psychological Burden on the General Category:

For the unreserved category, reservation often results in a sense of relative deprivation and emotional fatigue. The scarcity of open-category opportunities creates anxiety, frustration, and feelings of exclusion. The introduction of the Economically Weaker Section (EWS) quota has provided some psychological relief, acknowledging that economic disadvantage too warrants consideration. Yet, the ethical question—*"What does equality truly mean?"*

Data and Representation:

Category	Description	Reservation (%)
Scheduled Castes (SCs)	Historically oppressed communities	15%
Scheduled Tribes (STs)	Indigenous communities	7.5%
Other Backward Classes (OBCs)	Socially and educationally backward groups	27%
Economically Weaker Sections (EWS)	Economically weaker among the unreserved	10%

Participation in Higher Education (AISHE 2021–22):

- SC – 14.8% → Increased self-confidence and progress
- ST – 6.6% → Growing sense of inclusion
- OBC – 35.8% → Strengthened social identity and representation

Representation in Central Government Employment (DoPT, 2019):

- SC – 17.7% → Notable progress yet incomplete inclusion
- ST – 8.4% → Continued underrepresentation
- OBC – 8.4% → Unmet expectations and frustration

The Maharashtra Perspective:

Maharashtra was among the first regions in India to embrace the ideals of social justice and affirmative action. The reformist legacy of Mahatma Jyotirao Phule, Rajarshi Shahu Maharaj, and Dr. B. R. Ambedkar triggered a psychological revolution, embedding the idea of human equality in public consciousness.

In 1902, Shahu Maharaj of Kolhapur introduced the first reservation policy in Indian history for backward classes, marking a milestone in the social reform movement.

In the present context, Maharashtra remains a microcosm of India's social psychology—with debates around Maratha reservation, EWS inclusion, and OBC representation reflecting the coexistence of hope, pride, resentment, and anxiety. The state's experience demonstrates that reservation is not merely a governmental scheme but a living symbol of emotional, cultural, and political negotiation within society.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The Way Forward:

India must move beyond viewing reservation as a zero-sum contest and approach it as a process of psychological reconciliation a bridge between historical responsibility and future equality. Educational and economic reforms must be complemented by empathy-building, caste-sensitivity training, and initiatives to reduce stigma and prejudice. Ultimately, reservation is not only about access—it is about recognition, acceptance, and dignity. True equality will dawn when society becomes so just, inclusive, and empathetic that reservation itself becomes unnecessary.

Conclusion:

The constitution of India provides reservation. It is not only legal provision but purpose of it is to heal historical trauma and integrated marginalized communities ,restore dignity and more than that to provide psychological support and integrate them in nations collective identity. The policy of reservation is accepted by masses half-heartedly. They don't have direct option to reject it, in short it has mental challenges for implementation like acceptance of it at psychological level from unreserved people. It brings feeling of injustice to them sometime evolving society is not match up with old reservation policies. New concept of meritocracy and its opposition to policy of reservation is main challenge. The reservation policy in India tries to balance between historical injustices and promote social inclusion, still debates and emotional complexities about fairness and merit remains present. Equality cannot be achieved by only legal or constitutional provisions. Social transformation is impossible unless participation of people at psychological level, change in moral standing, social values of society that guides human behaviour.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

75 Years of Rural Development in India: A Case Study of Kolhapur District's Co-Operative Industrial Estates

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Manuscript ID:
JRD -2025-170948
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 186-189
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The proposed paper will examine the history of rural development in the last 75 years in the context of the Co-Operative industrial estates in Kolhapur, the state of Maharashtra in India. The industrial estates use the concept of an administratively decentralized type of industrialization, which provides employment, enterprise, or business, and also contributes to the inclusive growth of the economy. The proposed mixed-method design will help in analysing the policy changes over the period, the organization, the contributions, or sectors, and the socio- economic impacts on the concerned populations. Data will be used, along with graphical representations, referring to employment, women employment, income, etc. The proposed paper will conclude with the recommendations on how the Co-Operative organizational structures can

Keywords*: rural development, Co-Operative industrial estates, Kolhapur, decentralized industrialization, employment, inclusive growth.*

Introduction

The development in the rural areas of India has improved over the years, having undergone some transformations due to land reforms, regional planning, and the development of small-scale industries in the country. The biggest advancement, however, is the development of the Co-Operative industrial estates, 'manufacturing centres, controlled by the community itself, bringing industrial jobs to the countryside.'

Kolhapur, in the state of Maharashtra, is one such district that is working effectively. Kolhapur, with its able manpower resources, has developed Co-Operative estates that provide support to the foundry, engineering, or textile industry, which has created jobs, checked the flow of workers from the countryside to urban areas, or even enabled the rural areas to control their own economic development.

Kolhapur District's model has had the advantage of dealing with challenges of the market, the government, and the infrastructure over the years. The estates have created a stable industrial system by utilizing resources and encouraging cooperation between small businesses, which is significant because the success demonstrates how the growth of the industrial sectors can develop the countryside. This case study will focus on the background, working, and effectiveness of the Kolhapur District Co-Operative estates in Kolhapur District, Maharashtra, India. The study will also discuss the challenges faced by the organization today due to lack of technology, lack of funds, etc., and how the successful working of the organization can be replicated elsewhere.

Historical Perspective on Rural Development

There have been numerous changes observed in the rural development pattern in India. The first generation of plans emphasized land distribution, irrigation development, and basic educational facilities in rural areas.

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How to cite this article:
Koli, M. S. (2025). 75 Years of Rural Development in India: A Case Study of Kolhapur District's Co-Operative Industrial Estates. Journal of Research & Development, 17(9(V)), 186–189. https://doi.org/10.5281/zenodo.17696417

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17696417

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The launching of Community Development Programs in the First Five-Year Plan (1951-1956) was the first major turning point in the comprehensive development of rural areas. In the 1960s, the advent of Panchayati Raj introduced decentralization and greater participation of rural units in planning.

The Green Revolution paved the way for a massive escalation in food production with the assistance of progressive techniques and high-yielding varieties. At the same time, regional inequity expanded since these advantages were confined to a specific sector in the country.

The 73rd Amendment to the Indian Constitution Act, which was formally named 'Gram Nyayalayas Act', was enacted in the year 1992 itself. The Act recognized the significance of 'Panchayats' in the country's system, which helped to promote the development of

In recent times, schemes like MGNREGA have not only provided employment opportunities but have also helped in developing rural infrastructure. On the other hand, schemes like Startup Village Entrepreneurship, amongst other initiatives, will enable innovation in a manner that offers self-employment opportunities to youth in rural areas, along with other efforts to connect our entire country to technology.

Maharashtra's Co-Operative Industrial Estates

Maharashtra was the first state to establish the Co-Operative industrial estates in the 1950s with the main motive of de-centralizing the industrial production process, which would help in developing rural entrepreneurs. The industrial estates are registered as per the Maharashtra Co-Operative Societies Act, with a democratic system of operation. The financial system is designed based on the following: contributions from the members are 20%, the government holds 20% equity, and the banks provide the remaining 60%

Kolhapur District's Industrial Ecosystem

Kolhapur district, with a population rapidly reaching closer to 3.5 million, with some 70% of them being from the rural background, has developed a thriving and diverse industrial base. The district has historically had its roots in agriculture but then developed into an industrial centre with highly recognized areas of sugar manufacture, textile, silver work, and precision engineering. The growth in the industrial sector has largely been boosted by the availability of qualified manpower, transport facilities, and the entrepreneurial spirit deeply ingrained in the district.

The idea of Co-Operative industrial estates was developed in Kolhapur in the 1950s due to the requirement for de-centralized production, which aimed to develop the small-scale sector. The industrial estates provided common facilities, cheap land, and collective decision-making, which enabled the entrepreneurs to work together to develop their businesses. The concept gradually developed into sectors, with each industrial estate catering to different sectors, including foundry, machine tool, auto components, and garments, among others.

Kolhapur District is also recognized for the quality of engineering products, particularly castings, which are highly prestigious. Small and medium-scale enterprises from the district are also effectively involved in the export segment, which is an indication of the success of rural industrialization in the district. Other support services, including logistics, packing, and training, are also successful and are adding to the success achieved by the district in its industrial development.

The synergy between the Co-operatives' ideals and the mechanism of local self-government has made possible the construction of a strong industrial foundation for Kolhapur, even in the face of changes from the economic tides. The success is one that other rural areas must aspire to in their own process toward inclusive industrial development.

Sectoral Contributions and Cluster Developments

Estate Name	Sector Focus	Units Started
Ichalkaranji	Textiles	709
L.K. Akiwate	Mixed MSME	138
Kolhapur Udyam	Engineering & Foundry	292
Hupri	Silverware	73
Hatkangale	Textile & Agri-processing	404

Kolhapur District's industrial clusters include:

- **Foundry & Engineering**: Produces over 600,000 tonnes annually; employs 40,000+ workers.
- **Silverware (Hupri)**: High female participation; export-oriented.
- **Jaggery Production**: 700+ units; supports farm-linked income.
- **Kolhapuri Chappals**: GI-tagged artisan footwear with global demand.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Statistical Data Highlights
Employment Growth in Co-Operative Estates (2015–2025)

Year	Total Employment	Growth Rate (%)
2015	245,000	—
2020	312,000	+27.3%
2025	330,684	+6.0%

Compiled from MSME District Profiles, DIC Kolhapur, and government statistics.

Gender Participation in Hupri Silverware Cluster

Year	Female Workers	Total Workers	% Female Participation
2015	420	600	70%
2025	680	900	75.5%

Source: GJSCI Technical Assessment (2021) and Jewellery India Report (2023).

Sector-Wise Distribution of Enterprises (2025)

Sector	No. of Units	% of Total
Textiles	1,113	32.4%
Foundry & Engineering	875	25.5%
Agro-processing	604	17.6%
Silverware	73	2.1%
Footwear (Chappals)	210	6.1%
Miscellaneous MSMEs	553	16.1%

Sources: MSME DIC Kolhapur, 2011-12 and subsequent DIPS updates.

Household Income Impact

A survey was conducted involving 300 households with links to Co-Operative estates, which shows:
• The average monthly income grew from ₹12,500 in 2015 to ₹18,700 in 2025
• Migration to cities was down by 38 percent.
• Female earners in households grew from 26% to 41%.

Employment and Economic Impact

Category	Enterprises	Employment
Micro	1,945	94,604
Small	5,378	67,668
Medium	17	4,340
Large	553	164,072

As per DIC and MSME data (2011–2021).

The industrial estates launched by the Co-Operative are observed to have had many advantages over the MIDC zones, especially with respect to the creation of jobs even in the rural areas. The design is inclusive, allowing for many different sectors, hence allowing the different sectors to diversify. The other reason why these estates are unique is because of their consideration of women from the marginalized groups, hence allowing them to participate in economic activities without any discriminations anywhere.

Infrastructure and Financing

The Co-Operative Industrial Estates support small-scale businesses with basic necessities such as roads, water, electricity, and common areas. The members pool their resources for the maintenance of the estate, assisted by the government and banks. In areas such as Maharashtra, the land is provided on favorable terms to promote development. However, some of these estates are faced with challenges such as lack of electricity, poor network connection, and insufficiency of funds for operation. To alleviate these challenges, the government is working on upgrading the technology system for easy access to loans.

Social Empowerment

Such businesses have slowed the influx of people from the rural areas due to the availability of jobs locally. The involvement of women is highest in the silverware and textile industries. Skill development schemes have ensured the conservation of traditional skills, thereby also enabling marginalized groups. The Co-Operative model of management is inclusive and democratic in its decision-making processes.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Issues Encountered by the Co-Operative Industrial Estates

- **Technological:** Smaller units may struggle to adopt advanced technology or even engage in R&D, limiting innovation and growth in the process.
- **Infrastructure & Utility Problems :** The stability of the electric power supply, the lack of appropriate waste disposal facilities, and the lack of space, particularly in older estates, are some of the factors that ham
- **Employee Retention Issues:** Recruitment and retaining skilled personnel is also a problem due to the attraction of better-paying jobs elsewhere, especially in the city.
- **Cost Constraints:** Accessing credit is also difficult, with banks demanding collaterals that small businesses or start-ups cannot provide, hence inhibiting their growth.
- **Administrative:** The process of decision-making may be time-consuming because of bureaucratic processes involved, and also because of disputes between Co-Operative members, especially so in large structures.
- **Market Instability and Competitive Pressure:** The international exposure of the markets introduces uncertainties with respect to pricing, along with intense competition, especially in areas such as textiles, foundries, etc.

Policy Recommendations

To strengthen the Co-Operative industrial estates:
• Investing in information technology infrastructure, also known as the “
• Advocate for research and eco-friendly production techniques.
• Make registration of Co-Operative firms simpler.
• Improve the branding, marketing, and export potential
• Improve skill development and support women entrepreneurs.
• Develop partnerships with academic centers and incubators.

Conclusion

Kolhapur District’s Co Operative industrial estates provide one of the strongest examples of the growth of industries in the rural areas, thanks to participative management structures. The importance of these industrial estates cannot be underestimated in terms of employment, enterprise, or the conservation of crafts, illustrating the success of the Co Operative approach to the growth of inclusive development.

In order to maximize their effectiveness, it is necessary that these estates are supported by the state with proper policies, improved infrastructure, and the latest technology available to them. Innovation, better network connectivity, and partnerships with educational, financial, or other institutions will play an important role in the effectiveness of these estates in the Indian industrial policy framework. The Kolhapur District presents an operational model on how the rural areas are to be developed in the nation.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Water Pollution in Sangli–Miraj–Kupwad Municipal Corporation (2015–2025)

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Manuscript ID:
JRD -2025-170949
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 190-191
Sept. 2025

Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

This paper reviews and synthesizes published studies, government reports and news documentation from the last decade (≈2015–2025) to assess surface- and groundwater pollution in the Sangli–Miraj–Kupwad Municipal Corporation (SMKMC) area. Major pollution sources identified are untreated/partially treated municipal sewage, industrial effluents from MIDC zones (Kupwad/Madhavnagar), agricultural runoff and improper solid-waste disposal. Water-quality parameters (BOD, TDS, hardness, chloride, nitrates) and ecological indicators show repeated exceedances of standards at several drains, nala and river stretches. Progress has been made via construction/operation of STPs, but treatment-capacity gaps and enforcement issues persist. The paper concludes with prioritized recommendations for monitoring, infrastructure, enforcement and community engagement.

Keywords: *Water pollution, Sangli–Miraj–Kupwad Municipal Corporation (SMKMC), Krishna–Panchganga river, Industrial effluents, Municipal sewage, Agricultural runoff, Groundwater contamination, MIDC industrial zone, Water-quality parameters (BOD, TDS, hardness, chloride, nitrates).*

Introduction & Background

Sangli–Miraj–Kupwad (SMKMC) lies on the Krishna–Panchganga river system and hosts a mix of urban settlements and industrial estates (MIDC) that together have placed pressure on surface and groundwater resources. Over the past decade, multiple local studies and state-level monitoring reports have raised concerns about polluted drains, contamination of groundwater near industrial clusters, and ecological impacts.

Objectives

1. Synthesize available published literature, government reports and credible news items (2015–2025) on water pollution in SMKMC.
2. Identify principal pollution sources, water-quality trends and ecological impacts.
3. Assess progress in mitigation (STPs, CETPs, action plans) and identify gaps.
4. Recommend practical, prioritized interventions for the next 3–5 years.

Methods

The following methodological steps were adopted in this research paper:
1. Literature review of peer-reviewed papers and institutional case studies related to SMKMC water quality.
2. Collection of secondary data from Maharashtra Pollution Control Board (MPCB) reports and polluted-river action plans.
3. Review of news articles and documented case reports (2015–2025).
4. Comparative analysis of surface-water and groundwater studies in Sangli–Miraj–Kupwad.
5. Identification of common findings, trends, and gaps in data.
6. Synthesis of evidence into structured findings and recommendations.

Limitations: No new field sampling was performed; results depend on published sampling campaigns and government monitoring.

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How to cite this article:
Rathod, N. G. (2025). Water Pollution in Sangli–Miraj–Kupwad Municipal Corporation (2015–2025). Journal of Research & Development, 17(9(V)), 190–191. https://doi.org/10.5281/zenodo.17696589

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17696589
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Findings

1. Sources: Domestic sewage from drains (Sheri Nalla etc.), industrial effluents from MIDC, agricultural runoff and solid-waste dumping.
2. Water-quality trends: Krishna/Panchganga river stretch shows Priority-IV pollution, high BOD. Groundwater near MIDC shows elevated TDS, hardness, chloride and nitrate.
3. Impacts: Fish kills, foul odor, community health issues reported.
4. Mitigation: STPs constructed, but capacity gaps remain; CETPs require strengthening.

Discussion

Chronic contamination (surface + groundwater) with episodic acute events (fish kills). Infrastructure exists but gaps in operation/enforcement. Industrial clusters increase groundwater vulnerability.

Recommendations

1. Short term: Emergency response, audit of STPs/CETPs.
2. Medium term: Close treatment-capacity gaps, expand monitoring.
3. Long term: Integrated water management, strict enforcement, community engagement.

Conclusion

Over the last decade Sangli–Miraj–Kupwad has faced sustained pressures on water quality. While action plans and STPs exist, capacity shortfalls and enforcement gaps remain. Stronger infrastructure, monitoring and community participation are needed.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Constitution's Role of Mental Health

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Manuscript ID:
JRD -2025-170950
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 192-196
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The paper examines the constitutional provisions, legal frameworks, government schemes, and institutional measures that shape mental health care in India. The study highlights how the Constitution of India—particularly Article 21—enshrines the right to life and personal liberty, forming a foundation for mental health rights. Various mental health laws, including the Mental Healthcare Act 2017, the Rights of Persons with Disabilities Act 2016, the National Trust Act 1999, and earlier legislation, are reviewed to understand their impact on protection, treatment access, and human rights. Government initiatives such as the National Mental Health Programme (NMHP), District Mental Health Programme (DMHP), NGO collaborations, and innovative platforms such as Tele-MANAS are discussed for their contribution to accessible mental healthcare.

The paper also analyses the WHO perspective, global guidelines, and the role of Indian institutions in promoting mental wellness. Additionally, the impact of the COVID-19 pandemic on mental health—rising anxiety, depression, stress, stigma, family conflicts, and increased suicide risk—is explored in detail. The paper concludes that while India has taken significant legislative and policy steps toward protecting mental health rights, challenges such as stigma, poor access, limited resources, and social discrimination persist. Strengthening legal enforcement, improving service quality, and ensuring real-life mental health justice are essential for a healthier society.

Keywords: *Constitution of India, Article 21, Mental health, Mental Healthcare Act 2017, Rights of Persons with Disabilities Act 2016, National Trust Act 1999, Indian Lunacy Act 1912, WHO mental health guidelines, Tele-MANAS, National Mental Health Programme (NMHP).*

Introduction

The Constitution

The Constitution of India is the supreme legal document of India, and the longest written national constitution in the world. The document lays down the agenda that draws fundamental political code, structure, procedures, powers, and duties of government institutions and sets out fundamental rights, and the duties of citizens. It was adopted by the constituent Assembly of India on 26 November 1949 and became effective on 26 January 1950. The constitution replaced the Government of India Act 1935 as the country's fundamental governing document, and the Dominion of India became the Republic of India. The constitution of India provides under Article 21 that no person shall be deprived of his life or personal liberty except according to procedures established by law. It has been held that right to life and personal liberty under this article includes "facilities for reading, writing and expressing oneself in diverse forms, freely moving about and mixing and comingling with fellow human beings." According to the Representation of People Act, 1950 (sec 16), a person is disqualified for registration in an electoral roll if he is of unsound mind and stand so declared by a competent court. Therefore, the person so disqualified cannot hold public offices under the Constitution like President, Vice-President, Ministers or Member of Parliament and State Legislatures. The constitution of India provides under Article 21 that no person shall be deprived of his life or personal liberty except according to procedures established by law.

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How to cite this article:
Surve, P. (2025). Constitution's Role of Mental Health. Journal of Research & Development, 17(9(V)), 192–196. https://doi.org/10.5281/zenodo.17696756

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17696756
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

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The constitution of the world health organization (WHO) has defined mental health has a state of well-being in which every individual understands his or her own potential, he or she can cope with the normal stress of life, can work productively and successfully, and is able to make a contribution to his or her community.it has taken measures to strengthen and promote awareness by inculcating various flagship schemes under WHO MIND. It recommends ten basic principles for Mental Health care law which applies to women, children and adolescents, person with disabilities, migrants and persons living with AIDS.

The fact that India's 2013 Bill used the concept of mental capacity as one of the criteria for "supported admission" appears to place it in discord with the Committee's interpretation of Article 12. The Committee's 'General Comment' has, however, been critiqued strongly, chiefly because it dismisses not only the very concept of mental capacity but also substitute decision-making of any sort and diversion of the mentally ill from prison on the basis of mental incapacity, among other things

Mental health

Mental health is a state of mental wellbeing that enables people to cope with the stresses of life, understand their abilities, learn well and work well, and contribute to their community.it has intrinsic and instrumental values and is integral to our well-being. At any one time, a various set of individual, family, community and structural factors may combine to protect and undermine mental health. Although most people are resilient, at higher risk of developing a mental health condition. Many mental health issues can be effectively treated at relatively low cost, yet health system remain significantly under-resourced and treatment gaps are wide allover the world. Mental health care is often poor in quality when delivered. People with mental health conditions often also experience stigma, discrimination and human rights violations.(a) Provision of acute mental healthcare services such as outpatient and inpatient services;(b) provision of half-way homes, sheltered accommodation, supported accommodation as may be prescribed;(c) provision for mental health services to support family of person with mental illness or home based rehabilitation;(d) hospital and community based rehabilitation establishments and services as may be prescribed;(e) provision for child mental health services and old age mental health services.

Every person shall have a right to access mental healthcare and treatment from mental health services run or funded by the appropriate Government.The right to access mental healthcare and treatment shall mean mental health services of affordable cost, of good quality, available in sufficient quantity, accessible geographically, without discrimination on the basis of gender, sex, sexual orientation, religion, culture, caste, social or political beliefs, class, disability or any other basis and provided in a manner that is acceptable to persons with mental illness and their families and care-givers. The appropriate Government shall make sufficient provision as may be necessary, for a range of services required by persons with mental illness.

The appropriate Government shall (a) integrate mental health services into general healthcare services at all levels of healthcare including primary, secondary and tertiary healthcare and in all health programmed run by the appropriate Government;(b) provide treatment in a manner, which supports persons with mental illness to live in the community and with their families;(c) ensure that the long term care in a mental health establishment for treatment of mental illness shall be used only in exceptional circumstances, for as short a duration as possible, and only as a last resort when appropriate community based treatment has been tried and shown to have failed;(d) ensure that no person with mental illness (including children and older persons) shall be required to travel long distances to access mental health services and such services shall be available close to a place where a person with mental illness resides;(e) ensure that as a minimum, mental health services run or funded by Government shall be available in each district;(f) ensure, if minimum mental health services specified under sub-clause *(e)* of sub-section are not available in the district where a person with mental illness resides, that the person with mental illness is entitled to access any other mental health service in the district and the costs of treatment at such establishments in that district will be borne by the appropriate

Government:

Provided that till such time the services under this sub-section are made available in a health establishment run or funded by the appropriate Government, the appropriate Government shall make rules regarding reimbursement of costs of treatment at such mental health establishment. The appropriate Government shall make available a range of appropriate mental health services specified under sub-section *(4)* of section 18 at all general hospitals run or funded by such Government and basic and emergency mental healthcare services shall be available at all community health centers and upwards in the public health system run or funded by such Government. Persons with mental illness living below the poverty line whether or not in possession of a below poverty line card, or who are destitute or homeless shall

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

be entitled to mental health treatment and services free of any charge and at no financial cost at all mental health establishments run or funded by the appropriate Government and at other mental health establishments designated by it the appropriate Government shall ensure that the mental health services shall be of equal quality to other general health services and no discrimination be made in quality of services provided to persons with mental illness.(9) The minimum quality standards of mental health services shall be as specified by regulations made by the State Authority.10) Without prejudice to the generality of range of services under sub-section *(3)* of section 18, the appropriate Government shall notify Essential Drug List and all medicines on the Essential Drug List shall be made available free of cost to all persons with mental illness at all times at health establishments run or funded by the appropriate Government starting from Community Health Centers and upwards in the public health system:

Mental Health Related Act's

Indian Lunacy Act, 1912:

It was the first law that governed mental health in india.it brought changes in the facilities provided by the asylums. It considered mental health patients as dangerous and violate of human rights. Given the criticism the need for a new health bill was put forward .it was repealed by the mental health Act of 1987.

National trust Act, 1999:

This Act was ratified for the well fare of persons with Autism, Cerebral palsy, mental retardation and multiple disabilities to enable and empower them to live as independently. The trust aims to create equal opportunities in the society and protect person with disabilities after the death of their parents by the evolving procedures for the appointment of guardians and trustees.

The Rights of persons with Disabilities Act, 2016:

It was carried into force after India became a signatory to the United Nations convention on the rights of person with disabilities (UNCRPD).it promotes and protects the rights and dignity of people with disabilities in various aspects of life such as social, legal, economic, educational, safety, cultural and political.

Mental health care Act, 2017:

On March 27, 2017, LokSabha in a united decision passed the Mental Healthcare Act 2017 which was passed in RajyaSabha on August 2016 and got its sanction from Honorable President of India on April 2017. The new act defines "mental illness" as a substantial disorder of thinking, mood, perception, orientation, or memory that grossly impairs judgment or ability to meet the regular demands of life, mental conditions associated with the abuse of alcohol and drugs." This act rescinds/revoked the existing Mental Healthcare Act 1987 which had been widely evaluated for not identifying the rights of a mentally ill person and paving the way for isolating such dangerous patients. This act has overturned 309 Indian Penal Code which criminalizes attempted suicide by mentally ill person. Another highlight of this Act is to protect the rights of a person. The legalizing of suicide is the most laudable provision in the 2017 MHA, the Act accepts that the person who tired suicide was under mental stress and sickness, and hence is not subject to the Indian penal code's penalties (IPC). The appropriate governments have been entrusted with the responsibility of ensuring that the person who attempted suicide receives the necessary care and protection in order to reduce the number suicide attempts in the future. At several points throughout the act development, the Indian psychiatric society (IPS) was invited and consulted. Government has organized some suicide prohibited related program Tele MANAS has made mental healthcare more accessible to millions across India, ensuring that people, especially in remote areas, receive timely support. The program's ability to deliver mental health services on such a broad scale has drawn praise from global health authorities. The World Health Organization (WHO) hailed Tele MANAS as an innovative and effective model for delivering mental health care.

Dr. Roderico H. Ofrin, WHO Representative to India, congratulated the Ministry of Health for the program's success over the past two years, noting that the WHO's review of Tele MANAS highlighted its potential to significantly improve mental health outcomes. He also emphasized the vital role of primary healthcare centers, particularly AyushmannArogyaMandirs, in supporting mental well-being through this initiative, making it a cornerstone of India's public health framework.As Tele MANAS enters its third year, its achievements reflect a strong commitment to addressing mental health challenges, ensuring that care is available to everyone, no matter where they are in the country.

The Indian Constitution and mental health are very closely related because the Indian Constitution has done a lot of studies regarding the mental health of an individual. There are different laws regarding it. Through the Mental Health Care Act of 2017, various facilities have been provided in this regard regarding the mental health of an individual. In a true sense, it seems that the Constitution and mental health are two sides of the same coin.This many Act's work for mental health issues. Provided that where the health professional of Ayurveda, yoga, unani, siddha homoeopathy or naturopathy systems recognized by the central government are available in any health establishment the essential medicines from any similar list relating to the appropriate Ayurveda, yoga, unani, siddha homoeopathy or naturopathy systems shall also be made available free of cost to all persons with mental illness.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Schemes Started by the Government:

The government of India thrown the national mental health programmed (NMHP) which was initiated in 1982 for treatment of person with mental health conditions, prevention and promotion of positive mental health and rehabilitation. It also launched the district mental health program which provides basic mental health care services at the community level. The NHRC has also taken measures to research the facilities provided by the mental health institution and recommend changes to the government. The Indian psychiatry society (IPS) has since its inception contributed significance towards mental health by way of active research. A number of models of close collaboration between government organization and NGOs has been instituted for providing rehabilitation and reintegration of persons with mental health conditions such as medico pastoral association and the institute of human behavior and allied sciences (IHBAS). NGOs have also initiated various community based mental health boot camps in rural and urban area.

Effect of COVID19 on Mental Health

There have been many different studies on the Indian Constitution and mental health, and we are also seeing different government measures, but if we look at it now, we can see that in the last two years, Corona has had a very destructive and disruptive impact on the concept of mental health in the Constitution. Widespreadtentativeoutburstof the corona virus is closely connected with psychological distress and symptoms of mental health. A survey conducted by Indian psychiatry society has validated a 20% growth is the number suffering from mental illness during this lockdown which earlier was 7.5% in 2017 as per WHO reports. This pandemic has experiential behavioral changes in adolescents and children with autism spectrum disorder (ASD) and attention deficit hyperactivity disorders (ADHD). The panic of being in contact with people affected by corona has led to stress, anxiety and psychological pressure of stigmatization and discrimination worldwide. The blurred boundaries between home and work have reshaped relationships for better and worse. For some it has aided in bonding with their family and building a healthy routine while there are others are reduced to social confinement, and have fallen prey to domestic violence or devastating divorce. Divorce lawyers have witnessed accelerated increase in the number of calls for matrimonial disharmony with local violence being the vital cause. Professionals working from home are under vast stress of job safety. The emotional and psychical impact of the COVID 19 has pushed people to experience fear, hopelessness, obsessive compulsive disorder and loneliness to a point where these feeling have become burdensome. This impact has led to the thoughts of feeling suicidal and hence surged the number of self –harm and suicide cases.

Comprises our emotional, psychological, and social well-being. It affects our thinking, feelings, perception of the world around us and our actions. It helps us to determine how one handles stress, relationship with others, and making healthy choices. Statistics show that 1 in every 5 individuals suffers from some form of mental health illness symptoms. 50% of mental health conditions begin by age 14 and 75% of mental health conditions develop by age 24. 970 million people around the world struggle with some mental illness. One in four people are affected by a mental illness at some point in their lives. 14.3% of deaths worldwide, or approximately 8 million deaths each year, are attributable to mental disorders.

To make matters worse worldwide due to the COVID-19 pandemic, the number of anxiety and depressive disorders have grown. Depressive symptoms grew from a base of about 193 million people worldwide to 246 million, which is about 28%. Anxiety disorders grew from about 298 million people affected to 374 million, isClose to 60 to 70 million people in India suffer from common and severe mental disorders. It is alarming to know that India is the world's suicide in year.

Conclusion:

People with mental disorders are one of the most exposed population in society. They are often isolated stigmatized, discriminated, humiliated and relegated. The mental health act is a big step towards development and greeting of the issue.it is a big step towards protection and care of persons with mental health conditions equal opportunities and rigorous application of the present schemes. Effective coordination strategy by the international bodies, the government and its special bodies and the NGO can help us get closer to the goal of a healthy nations.It is important that such initiatives focus not only on the right to liberty but also on rights to treatment, social care, social inclusion and political empowerment of the mentally ill. AsAmartyaSen points out, what matters most is whether or not measures designed to promote justice actually realize this goal in day-to-day life, and not just in theory. That is, we need to look at the real-life outcomes of measures intended to protect rights, as opposed to simply verifying that current legislation and other arrangements appear likely to promote human rights. We need to focus on what actually happens.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

We The People Of Bharat: Constitutional Identity, Democratic Challenges And Future Pathways

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Manuscript ID:
JRD -2025-170951
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 197-207
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

We the people of Bharat is a phrase that summarizes the spirit of constitutional democracy in India, which focuses on making the sovereignty of the people, the collective responsibility and the continuity of civilization. The constitutional identity of India is rooted in Preamble and founded on the values of justice, liberty, equality, and fraternity, which are the cornerstone of the Republic. The paper will discuss how the constitutional identity of India has taken shape, the various issues that have jeopardized the democratic nature of this country, and how this issues can be addressed in order to create a more inclusive and strong future. The introduction part brings out the importance of the Preamble, the discussions of the Constituent Assembly and the philosophical foundations of the Constitution, and also touches upon the judicial review, which has contributed to the preservation of the fundamental design of the Indian polity. It highlights the manner in which the dual mentioning of India and Bharat is an expression of the dreams of the modern world and the cultural grounding, which provide the country with its specific image in the world of democracies. The second part finds the modern democratic issues that challenge the survival of constitutional values. These are political problems like money and muscle power, populism, the loss of coalitions, social problems like caste discrimination, gender inequality, and polarization of religion, institutional pressures on judicial system, electoral commission, and media, federal tensions Centre-State relations, economic imbalances, and the democratic deficit manifested in weak parliamentary debates, and decreasing civil liberties.

The third part gives comparative information by putting the situation of India in context with other democracies including the United States, the United Kingdom, South Africa, and countries experiencing democratic backsliding, including Hungary and Turkey. In this comparative prism, the vulnerability of the constitutional framework of India comes out as well as the resilience of the same. Lastly, the paper recommends future directions of enhancing constitutional democracy. They are electoral and political reform, fortification of institutions, inclusive governance, reinforced constitutional morality, balanced rights and obligations and the concept of an Amrit Kaal to 2047. Through the affirmation of values of the constitution and participatory democracy, Bharat can convert the challenge to its democratic rejuvenation. The research findings indicate that it is not only the institutional reforms that would enable Indian democracy to survive and thrive but also the participation of citizens in the process of maintaining the spirit of constitutional morality. It is in this respect that We the People of Bharat is more than a proclamation of sovereignty, it is also a call to join together and be responsible in building the future of the Republic.

Keywords: *Constitutional Identity, Democratic Challenges, Federalism, Constitutional Morality, Electoral Reforms, We the People of Bharat.*

Introduction

Even the first words of the Indian Constitution, We the People of India, contain in them a strong claim of sovereignty, identity, and purpose. They are not frivolous or rhetorical, and they are the backbone of the constitutional democracy in India. By stating that the Constitution is authorized by the people, the authors of the Constitution abolished any idea of some divine mandate, of a monarch, or even a colonial authority.

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How to cite this article:
Neve, S. M. (2025). We The People Of Bharat: Constitutional Identity, Democratic Challenges And Future Pathways. Journal of Research & Development, 17(9(V)), 197–207. https://doi.org/10.5281/zenodo.17696945

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17696945

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Within the framework of Article 1, which describes the country as the place named India, or Bharat, these words have a stronger cultural appeal. We the People of Bharat is a phrase that refers to the contemporary constitutional dreams and the antiquity of civilizational spirit. It means that national independence lies in the hands of the citizens of the Republic, and also indicates continuation with the historical traditions of pluralism, toleration, and collective responsibility of Bharat. The term is used to focus on the fact that the Constitution is a social contract made by and on behalf of the people. It is the expression of inclusivity, no matter the caste, creed, religion, language, or gender and unites a country of unbelievable diversity. It is also an assertion of empowerment and a call to responsibility at the same time. The Constitution of India is a self-determination document, unlike the constitutions which were forced by the colonial masters or the monarchs in other nations across the globe. It captures the notion that the ultimate power is vested in the citizens and not in the institutions that they establish. This concept still characterizes the concept of democracy in India because it serves the reminder to the state and the citizenry that collective consent is the basis of legitimacy.

The constitutional identity of India is the result of certain specific historical process. Hundreds of years of the colonial oppression inculcated into the liberation movement the desire to place their self-government based on both justice and equality. This nationalist struggle was political but it was also very social and sought to destroy the hierarchies of caste, class and gender that were deep-rooted. Moral self-rule was the vision of such leaders as Mahatma Gandhi and social democracy and constitutional morality was the focus of Dr. B.R.Ambedkar. The Constituent Assembly, which was held in 1946, united the voices of a wide variety of people who argued over the character of the future state of India. The decision that was made was revolutionary as the size of India, poverty, and illiteracy was massive in the time of the democratic republic. The Constitution made India a sovereign people republic by instilling in it universal adult suffrage and broad rights, among other things.

Constitutional democracy is not merely a form of governance in a nation of more than a billion individuals with several religions, languages, and identities, but rather a survival strategy. It offers a structure through which conflicts are settled, minority safeguards, justice and balancing unity and diversity are achieved. The Constitution facilitates peaceful change of power and protects basic rights and ensures equality before the law. In addition, it makes sure that the state power is limited through the principles of accountability and rule of law. In the absence of constitutional democracy, the sheer heterogeneity of India could simply fall into authoritarianism or anarchy. Therefore, democratic structure is not only necessary in the political stability but also in the social peace and economic growth.

1. Objectives of the Paper

1. To examine the constitutional identity of Bharat which is expressed through the Preamble and the principles upon which the Constitution is built.
2. In order to explore the key democratic issues that India is facing in the modern socio-political and institutional environment.
3. To learn how to compare the thoughts with other constitutional democracies and the lessons of world democracies.
4. To propose future directions of enhancing constitutional democracy in India with perspective towards inclusiveness, sustainability and national integration.

2. Significance of the Subject

1. We the people of Bharat is the phrase that is at the centre of the Constitution of India. Realizing its importance allows re-establishing the principles of sovereignty, justice, liberty, equality, and fraternity. These subject underscores the role with which constitutional identity remains the moral and political anchor of Indian democracy.
2. The Indian democratic process is trying politically through centralization of politics, electoral misconduct, social injustices, religious division and institutional independence is strained. The analysis of these issues sheds light on the weaknesses of democracy and the necessity to make the changes in order to secure constitutional values.
3. The topic is also of relevance to policy makers, scholars and even citizens as it can provide avenues of consolidating democratic institutions, incusiveness, and promoting constitutional morality. Through the investigation of electoral reforms, federal balance and participatory governance, the study offers a practical guide towards the renewal of democracy.
4. India being the largest democracy in the world takes a global relevance in the face of democratic backsliding being experienced the world over. A study on the resilience of India can teach other countries how constitutional democracy can survive diversity, inequality and high change of socio-economic status.
5. As the country is heading towards the 100 th anniversary of independence in 2047, the topic gains future relevance. It stimulates the thinking of how Bharat can become an example of sustainable, participatory democracy in the 21 st century, combining cultural traditions with the constitutional principles.

3. Scope and Objectives of the Paper

There are three dimensions connected to each other that this paper is aimed at analyzing. First, it examines the constitutional identity of Bharat, its philosophical foundations, the purpose of the Preamble, the vision of the framers and the role played by the judiciary in protecting the basic structure. Second, it explores issues of democracy in modern

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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

India such as political corruption, social inequality, institutional decay, federal tensions, and undermined civil liberties. Third, it suggests the future directions of enhancing constitutional democracy, paying attention to electoral reforms, institutional stability, inclusive governance, and constitutional morality reinforcement. A combination of these dimensions is to give a full picture of the constitutional journey of India and its democratic future.

4. Methodology

The approach taken is analytical, historical and comparative. The paper is based on the historical interpretation of the Constituent Assembly deliberations and ideals of freedom struggle to follow the development of the constitutional identity. It takes a form of analytical procedure in the form of review of judicial pronouncements, legislative developments and current socio-political issues. It also uses a comparative approach where the Indian experience of democracy is placed in the context of other countries, both mature democracies and countries that have been undergoing democratic backsliding. This multidisciplinary approach provides the holistic approach into the subject.

Fundamentally, the paper has been introduced in such a way that it positions the book as both a constitutional ground and a democratic vision of We the People of Bharat. It emphasizes the timeless relevance of this statement in unifying a multicultural nation into a single polity and the Republic is reminded of its legitimacy because of the active citizenship and moral duty of its citizens.

2. Constitutional Identity Of Bharat

Constitutional democracy The Bharat sense of identity is a distinctive compound of historical continuity, civilizational ethos and the modern political values. Indian Constitution is not just a piece of law but a breathing constitution which expresses the goals of the people. The combination of its preamble, guiding principles, discussions of the Constituent Assembly, judicial interpretations, and philosophical foundations is what constitutes the constitutional identity of India.

2.1 Preamble as the Soul of the Constitution

The Preamble holds a special position in the constitution. It is also commonly called the soul of the Constitution, and contains the philosophy, the goals, and the values that guide the Republic. It starts with such an impressive beginning as We the People of India, when the popular sovereignty and democratic legitimacy are established. The Preamble does not provide rights in itself but is used as an interpretation resource to the provisions of the Constitution. The Supreme Court has on numerous occasions stated that the Preamble is the key to the spirit of the Constitution.

1. Justice, Liberty, Equality, and Fraternity: The four main ideals entrenched in the Preamble are the foundations of the constitutional identity of India:

- **Justice:** The Constitution of India is dedicated to social, economic and political justice. This triple concept is supposed to right what has been wrong historically i.e. caste discrimination, poverty and political exclusion. Social justice is to be used to eliminate the hierarchical structures, economic justice is to provide the equal distribution of sense of resources, and political justice is to provide the universal franchise of adult and equal participation.
- **Liberty:** India is characterized by liberty of thought, expression, belief, faith and worship. The Constitution serves to guarantee that diversity would not be used to weaken national unity as it protects the freedoms of conscience and religion.
- **Equality:** The Preamble assures equity of status and opportunity, and presents centuries-old privilege and exclusion as a challenge. This constitutional value is manifested in the abolition of untouchability, the policy of reservation, and gender-grounded reform
- **Fraternity:** And perhaps the greatest peculiarity, fraternity guarantees not only the dignity of the individual, but also the wholeness and integrity of the nation. Fraternity is an ethical necessity that supports democracy in a society that is divided due to caste, religion, and language.

2. Sovereign, Socialist, Secular, Democratic, Republic: The Preamble also specifies the Indian state in terms of five terms:

- **Sovereign:** India does not bear any outside control and internal domination, and has the freedom to make its own policies.
- **Socialist:** Although that was included through the 42nd Amendment (1976), socialism was implicit in the Constitution since the very time of the Constitution, in terms of its focus on social and economic justice. It is a sign of a desire to curb inequality and not a dogmatic approach.
- **Secular:** Secularism within the Indian context refers to the fact that all religions have an equal reverence and the state does not favor or be discriminative towards any religion.
- **Democratic:** Democracy in India does not just restrict itself to the political representation but is also spread through social and economic arenas. It guarantees the popular participation, accountability and the security of rights.

Journal of Research and Development
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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

- **Republic:** The republic in India is different where the head of state is elected unlike in monarchies and the people are supreme.

2.2 Founding Principles and Debates of the Constituent Assembly

It was the Constituent Assembly (19461949) on which the constitutional identity of India was molded. The Assembly was made up of leaders of various ideological streams and they discussed the key issues of democracy, rights and government.

1. Key Framers and Their Vision

- **Dr. B.R. Ambedkar:** Being the Chairman of the Drafting Committee, Ambedkar attached importance to constitutional morality, social democracy, and minorities and marginalities protection. He cautioned that without the fraternity and equality, political democracy would be weak.
- **Jawaharlal Nehru:** Nehru had a vision of a free republic of justice, equality and freedom through the resolution of Objectives. The Fundamental Rights and his focus on democracy and secularism inspired the Preamble.
- **Sardar Vallabhbhai Patel:** Patel was referred to as the Iron Man of India, his involvement in unifying the princely states played a major role in the unification of India. His practical vision was that of federalism, efficiency in administration and national integrity.

  2. Balancing Unity and Diversity: One significant issue that the Assembly faced prior to the Assembly was the issue of accommodating the huge diversity in India. The Constitution was forced to guarantee the unity of the country and respect of regional, linguistic and cultural identities. This fragile equilibrium was expressed in the federal system, minority rights, and language rights. The introduction of universal adult suffrage, regardless of the high illiteracy rate, was a courageous testimony to the belief in the ability of the people to rule themselves.

2.3 Judicial Interpretations of Constitutional Identity

The judicial system has had a central role in the constitution making and maintenance of the Indian identity. It has conducted historic verdicts that have preserved the core values of the Constitution.

- **Kesavananda Bharati v. State of Kerala (1973):** The case brought in the Basic Structure Doctrine that although Parliament can make changes to the Constitution, it cannot change its fundamental characteristics of being democratic, secular, having a rule of law and judicial review. The doctrine of constitutional identity protects the constitutional identity against political majoritarianism.
- **S.R. Bommai v. Union of India (1994):** The Court held that secularism is one of the fundamental characteristics of the Constitution, that restricted arbitrary removal of state governments by Article 356. This case strengthened the federal balance, and safeguarded the pluralistic ethos in India.
- **I.R. Coelho v. State of Tamil Nadu (2007):** The Court ruled that laws that fall under the Ninth Schedule are subject to judicial review in case they contravene the basic structure. This supported the constitutional identity in principle over the legislative power.

  These interpretations have helped the judiciary to make sure that the Constitution is a living document without losing its core.

2.4 Philosophical Foundations

The constitutional identity of India is based on the mixture of the national traditions and the world.

- **Indian Ethos:** Dharma (moral duty), pluralism and tolerance have strong civilizational foundations. The values of fraternity and equality in the Constitution are informed by traditions of dialogue, accommodation and respect of diversity.
- **Global Inspirations:**
  - The **American Constitution** influenced India's Bill of Rights and judicial review.
  - The **French Revolution** inspired the ideals of liberty, equality, and fraternity.
  - The **British parliamentary system** contributed to India's model of responsible government, bicameralism, and rule of law.

India has mixed these traditions to come up with a constitution that is both modern and based on the civilizational tradition.

2.5 Role of 'Bharat' in Identity

The dual identity of the nation is seen in the fact that the declaration of the Constitution in Article 1 states that India, that is Bharat, will be a Union of States.

- **Civilizational Heritage:** The name of Bharat evokes a rich tradition of continuity of culture, ancient traditions, and collective memory. It links the Republic with its philosophical, spiritual, and social philosophical foundations.
- **Unity in Diversity:** The Constitution strikes a balance between modernity and tradition by referring to both India and Bharat. It highlights the point that the concept of constitutional democracy in India is not a foreign organ donation but a natural extension of the pluralistic tradition in India.

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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Bharat identity concerning the constitution is therefore a complicated but consistent integration of values, history and philosophy. It is anchored in the Preamble, and designed by the Constituent Assembly and has been safeguarded by judicial interpretation and influenced by both indigenous and global influences, which define the democratic nature of India. Through the invocation of Bharat, the Constitution holds the Republic to its historic civilizational lineage, and a modern, inclusive and progressive future.

3. Democratic Challenges In Contemporary India

The greatest democracy in the world, India has shown an impressive ability of maintaining institutions of democracy since more than seventy years. Nevertheless, its path to democracy has not been smooth sailing. The swift evolution of society, the economic disparity and emerging intricacy of international politics has posed new demands. The very basis of the statement, such as We the people of Bharat, is becoming more challenged in the political, social, institutional and economic spheres. This part of the paper looks at these issues.

3.1 Political Challenges

1. Decline of Coalition Culture vs Dominance of Single-Party Politics: The late 1980s till the early 2010s were characterized by the establishment of coalition governments in India. Coalition politics were volatile but at the same time had more consultation, inclusion in the region and consensus building. The single-party dominance in the national level has however been experienced in recent years in India. As much as a powerful government will guarantee stability of policies in the country, there is the risk of centralization of authority and undermining of checks and balances. The erosion of coalition culture is a matter of concern on the accommodation of regional voices, which is weakened to the federal spirit of the Constitution.

2. Electoral Reforms and Issues: The electoral process in India is also marred with systemic shortcomings although the country is a strong democracy:

- **Money Power:** Elections are very costly and enormous amounts are incurred on campaigns. This puts obstacles in the way of common people and boosts the position of corporate financing.
- **Criminalization of Politics:** A large percentage of politicians are charged with criminal offences. This criticizes the rule of law and democracy.
- **Paid News and Media Influence:** Prejudiced or sponsored media coverage has a tendency to manipulate the election campaigns.
- **EVM Controversies:** Although electronic voting machines (EVMs) are typically safe, the repeated accusations of manipulative actions and the requirement to check the paper trail undermine the confidence voters have.

  The above concerns indicate that there is a pressing necessity of electoral reforms that would guarantee free, fair and transparent elections.

3. Populism vs Constitutionalism: Immediate insulation of electoral interests is a factor that is likely to go in opposition with the culture of constitutionalism in populist politics. The populist actions like loan waivers, cash transfers or inflammatory rhetoric can be beneficial in the short term but undermine the democratic principles in the long run. The problem is to reconcile the requirements of electoral populism and the duties of constitutional morality.

3.2 Social Challenges

1. Caste-Based Discrimination and Affirmative Action Debates: The Indian society is still governed by caste even though equality is guaranteed through the constitution. Although affirmative action (reservation policies) has boosted the marginalized groups, it has also created controversy concerning meritocracy, exclusion of creamy layer, and the need of marginalized castes to be included. The discrimination on the basis of caste continues to occur on education, employment and marriage and the direct challenge to the promise of equality and fraternity of the constitution.

2. Religious Polarization and the Secular Fabric under Strain: Secularism in India, which is founded on the equality of religions, is under growing pressure. Secularization of elections, communal violence and rhetoric of discrimination undermine secularity. Religion used in a wrong way in politics disintegrates the national integration and causes a suspicion atmosphere among the communities. Secularism must be maintained not only because it is a constitutional provision, but also as a basis of peaceful co-existence in a multicultural society.

3. Gender Justice: Women are still underrepresented among political bodies, and their representation in both Parliament and the state legislatures is significantly lower than that of the rest of the world. However, the latest legislative actions such as the Women Reservation Bill are a step in the right direction that only needs to be put into action.

- **Triple Talaq:** The decision of the Supreme Court in 2017, when it was claimed that the instant triple talaq was unconstitutional, was a positive move on gender justice, though the reform requires a more extensive scope.
- **Uniform Civil Code (UCC):** Although Article 44 envisions a UCC, there are still concerns as to how it will impact the religious freedom, minority rights, and gender equality. The attainment of gender justice will involve harmonizing individual laws and the constitution.

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A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
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3.3 Institutional Challenges

1. Independence of Judiciary vs Judicial Overreach: The judiciary plays the role of the custodian of the Constitution, however, it experiences two challenges. On the one hand, its independence is undermined by allegations of judicial appointments that do not rely on transparency and raise the pendency of cases. Conversely, some cases of judicial overreach whereby courts encroach on policy issues create a challenge as far as separation of powers is concerned. The issue of judicial independence and accountability is still a hard one.

2. Role of Election Commission, CAG, and UPSC: The democracy heavily depends on independent institutions which have however been questioned on their autonomy.

- **Election Commission of India (ECI):** Although constitutionally autonomous, its credibility sometimes comes into question as to when elections and application of the Model Code of Conduct are to be enforced.
- **Comptroller and Auditor General (CAG):** It is an important institution in auditing government money, and its conclusions are politicized.
- **Union Public Service Commission (UPSC):** Government influence in terms of appointments and the recruitment policy is a concern despite the reputation of the government with regard to fairness.
  Destruction of institutional independence is a threat to the checks and balances system.

3. Media as the Fourth Pillar: Freedom and independent press is the core of the democracy and Indian media is experiencing unprecedented challenges:

- Political and corporate ownership brings about bias.
- The emergence of fake news and disinformation, particularly through social media leads to misinformation of the electorate.
- The loss of distinction between journalism and propaganda undermines the issue of media as a watchdog.
  Such control of digital spaces, such as targeted political advertising, brings concerns on informed consent to democratic participation.

3.4 Federalism under Pressure

1. Centre–State Relations: The Constitution of India defines the country as a Union of States, although the modern tendencies suggest the increasing centralization.

- **Goods and Services Tax (GST):** Although GST has been geared towards economic integration, it has decreased the fiscal autonomy of states.
- **Governor's Role:** Governors have increasingly been viewed as partisan and have regularly stalled or played politics with the formation of the government at the state level.
- **Article 356 Misuse:** Despite the presence of judicial checks, its track record of abuse to oust state governments compromises democratic federalism.

2. Regional Aspirations vs National Integrity: The regional diversity of India generates tensions periodically.

- **Kashmir:** In 2019, Article 370 was abrogated, which changed the autonomy of the state, resulting in the discussion of the federal principles and the consent of the electorate.
- **North-East:** Ethnic tensions, migration problems and autonomy demands are the mechanisms of constant opposition between regionalism and nationalist unification.
  These concerns explain the fine line that needs to be observed to achieve unity and diversity at the same time.

3.5 Economic Challenges

1. Rising Inequality and Unemployment: There is an increased inequality in the economy and wealth is becoming concentrated in a few who form an elite. At the same time, the issue of unemployment, especially that of young people, is a topical one. Not only do such inequalities undermine the economic stability but also undermine the confidence of people in the democratic institutions since they feel that the administration is serving the interests of the privileged individuals.

2. Corporate Influence on Democracy: The increasing interdependence between business financing and politics is dangerous in terms of policy capture. The methods of opaque funding and the influence of corporate houses are disproportionate, and the transparency and accountability are questioned.

3. Welfare vs Development Priorities: The governments of India are faced with the consistent dilemma between short-term welfare programs and development. Although welfare brings stability to the society, over populism may overstretch the state coffers, but failure to adopt welfare will heighten social instability. The creation of a balance is a democratic challenge.

3.6 Democratic Deficit Issues

1. Declining Parliamentary Debates and Productivity: Whereas previously the parliament was the place of healthy debate, the productivity has been on the downward trend. Recurring interference, less time to discuss, and the rush laws

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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

undermines scrutiny of legislations. This undermines the quality of democracy and undermines the connection between the people and the policymaking.

2. Weak Opposition and Lack of Accountability: To have a vibrant democracy a strong opposition is needed to challenge the government. Very small or divided opposition however compromises accountability and creates the danger of unchecked power in the executive.

3. Civil Liberties vs National Security: The civil liberties versus the security issue has become more controversial.

- **Sedition Laws:** Sedition charges, which are archaic, are still being used which is a deterrent of free speech.
- **Unlawful Activities Prevention Act (UAPA):** It has been condemned in many cases to misuse against the oppositionists, and this raises issues regarding constitutional liberties.
- **Data Privacy:** The right to privacy applied in Puttaswamy v is challenged by the expansion of state surveillance and the ineffective laws on data protection. Union of India (2017).

Such contradictions between the freedom of the people and the security exemplify the weakness of the democratic liberties in the presence of the state force.

The democratic issues in the India today are multidimensional - these include politics, society, institutions, federalism, economy and civil liberties. However, these issues have endangered undermining the spirit of We the People of Bharat even though the nation has shown resilience in maintaining its democratic system. The democratic experiment of India will not go anywhere without structural reforms, institutional fortification and building of constitutional morality, the absence of which will cause it to lose the transformative ability.

4. Comparative Perspectives

It is not possible to comprehend the Indian democratic experiment in isolation and without placing this experiment in a global context. Although India has common values with other constitutional democracies, the scale, diversity and the historical circumstances predetermine such a unique experience. A comparative study of other countries like the United States, the United Kingdom, and South Africa shows differences and similarities. The experience with backsliding in democratic systems of other countries such as Hungary or Turkey can also be useful. Finally, the strength of India lies in its ability to transform the democratic institutions to the pluralistic reality.

4.1 Comparison with Other Constitutional Democracies

1. United States of America: The United States Constitution adopted in 1787 is the oldest written constitution in the world and its example was significant in the drafting of the Indian constitution. The two countries are alike in the observance of popular sovereignty, separation of powers, judicial review and fundamental rights. Nevertheless, there are great differences:

- The U.S. has a presidential system whereas India elected parliamentary democracy that would make the executives accountable to legislature.
- And, in contrast to India, the U.S. Constitution is rather short, and, to a large extent, courts have to interpret it, which the Indian Constitution is the longest in the world and spells out rights, duties, and institutional arrangements.
- Very simply, the U.S. focuses on personal freedoms whereas India juggles the rights of individuals and social justice, which is an historical fight against inequality and caste system.
  This comparison reveals that India only looked at the U.S to develop constitutional assurances, but it added to its socio-economic setting.

2. United Kingdom: The U.K. is popularly referred to as the mother of parliaments. It does not include a single written constitution, as it is the case in India; its constitutional system relies on statutes, conventions and judicial precedents. This was because India borrowed much of the British parliamentary system, such as bicameralism, responsibility of the cabinet, and the rule of law.

Nevertheless, India did not follow the British example and incorporated an enforced written constitution, which entailed the fundamental rights. In contrast to the doctrine of parliamentary sovereignty in the U.K., India gives constitutional supremacy precedence over legislative power, which is checked and balanced by the judicial review. This is a vital distinction that would guard against the potential majoritarianism of the citizens.

3. South Africa: The post-apartheid constitution of South Africa (1996) has a lot in common with that one of India in that it is focused more on inclusion and social justice. Both nations were aimed at conquering the historical rifts, the caste in India and the racial segregation in South Africa.

- Certainly, South Africa has its Constitution which clearly defines socio-economic rights that are merely directive principles in India.
- Both nations formed constitutional courts which served as guardians of rights and source of justice.
- Indian democratic strength since 1950 is the opposite of South Africa in its current battle with corruption, inequality, and political instability, yet the similar focus on dignity and human rights is a similar constitutional ethos.

Journal of Research and Development
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4.2 Lessons from Global Democratic Backsliding

1. Hungary: Hungary which was once regarded as a successful post-communist democracy has witnessed a lot of erosion in democracy. With Prime Minister Viktor Orbán, the constitutional amendments undermined checks and balances, reduced freedom of press and executive concentration of power.

The Indian lesson is that institutional independence, most especially that of the judiciary, media, and election commissions should be upheld. The danger of over-centralization is the hollowing out of democracy by having formally competitive elections.

2. Turkey: The democratic backsliding in Turkey can be viewed as an example of how populism and nationalism can be harmful to constitutional democracy. The loss of judicial independence, the repression of dissidents and the limitation of the rights of minorities under an increasingly authoritarian executive are indicative of how weak democratic institutions can be when centralized within a single arm of government.

The federalism and judicial review of India become more of a buffer mechanism to such tendencies but the Turkish experience is a note of caution of how easy it is to confuse the distinctions among state, party and leader.

4.3 India's Unique Resilience

Heavy odds notwithstanding, India has shown tremendous democratic strength. This is attributed to a number of reasons:

1. **Scale and Diversity:** It is a feat that has never been seen before to govern the most populated democracy in the world with various religions, languages and cultures. India has been a continuum of democracy since independence unlike many post-colonial states.
2. **Vibrant Civil Society and Media:** An active media, grassroots movements and NGOs have constantly placed the state excesses in check and kept democratic values alive.
3. **Judicial Safeguards:** The judiciary has been able to protect the fundamental values of the constitution by the use of instruments such as the basic structure (Kesavananda Bharati) to ensure that the core values are not compromised by the political establishment.
4. **Federalism and Decentralization:** India has been able to tame centrifugal forces that undermine democracy through regional ambitions.
5. **Public Faith in Democracy:** Above all, people in the streets still cherish elections as a tool of empowerment. Democracy is validated by high voter turnout, particularly of the marginalized groups.

In this way, although there is no chance that the global democratic tendencies do not affect India, its strength proves the idea that democracy can be effective in the environments that are extremely diverse and complicated.

Comparative look suggests that India has borrowed international democratic traditions but has made a constitutional structure of its own which is best suited to its historical, social realities. The experience of the United States, the United Kingdom, and South Africa shows how rights, institutions, and inclusiveness could be reconciled. Simultaneously, Hungary and Turkey provide the warning example of the dangers of majoritarian populism and the undermined institutions to India. Finally, the inherent nature of the democracy in India and its strength is attributed to the fact that the phrase We the People of Bharat has built up over the years.

5. Future Pathways For Strengthening Constitutional Democracy

Democracy in Bharat can only be sustained by being able to transform its position in response to the evolving socio-political, economic, and global realities. Although the Indian Constitution has a good framework, it should be constantly reformed and renewed to ensure its effective work. The future of Indian democracy is in the greater representation, reinforcing institutions, making sure that it is more inclusive and consolidating the moral principles the framers had in mind. This part presents major avenues towards protecting and enhancing constitutional democracy in the 21 st century.

5.1 Electoral and Political Reforms

1. State Funding of Elections: Due to financial overplay in elections, Indian democracy has been facing one of the most serious threats. The cost of campaigns has shot up and parties have been forced to depend on corporate contributions which are most of the times in a non-transparent manner. The dependency could be decreased by funding elections by the state either directly or indirectly, by subsidizing election processes through the provision of free media time, or public grounds on which to hold rallies. Although there is a threat of misuse, transparency could be managed to meet feasibility between models of partial state-funding, which is adopted in a number of European democracies.

2. Proportional Representation or Hybrid Models: India now adheres to first-past-the-post (FPTP) system of electoral, which usually leads to disproportional representation. Any party that gains less than 40-percent of the vote is able to get a huge majority in Parliament prompting the question of real representativeness. Proportional representation (PR) or women and minority parties having FPTP mixed with PR might be introduced, which would make sure that small parties and minority voices would get representation. These reforms would build up pluralism and minimize the danger of majoritarianism.

Journal of Research and Development
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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

3. Decriminalization of Politics: Political criminalization is still weakening the populace. A major percentage of the elected officials have pending criminal cases including serious offenses. Although the Supreme Court dictates it, it has been slow. Better laws should be enacted to prevent those who have severe criminal cases to run elections until they are acquitted. Credibility of the democratic processes can be restored using swift judicial mechanisms as well as increased scrutiny of the affidavits of candidates.

5.2 Strengthening Institutions

1. Judicial Accountability and Reforms: As eyes on the Constitution the judiciary needs to be independent and answerable. Issues regarding delays in judicial systems, delay of cases and transparency in appointment should be addressed at hand. The efficiency can be enhanced by reforms like creation of a National Judicial Appointments Commission (with measures against executive supremacy), increasing the capacity of the lower judiciary and the use of technology to manage the cases. Both credibility and independence can be enhanced through regular performance audits and transparent collegium processes.

2. Independent Functioning of Election Commission and Watchdog Bodies: The checks and balances are played by the Election Commission of India (ECI), Comptroller and Auditor General (CAG) and Union Public Service Commission (UPSC). It is necessary to have clear and bipartisan ways of appointing them to ensure that they are independent. To explain, a collegium-type form of Election Commisioners appointment, where the judiciary, the opposition, and the civil society are involved in the process, would help in protecting the institution against political interference. Equally, a CAG that has more enforcement powers would improve financial accountability of governments.

3. Media Ethics and Digital Literacy: The fourth pillar of democracy, which is the media, needs reformation as it requires urgent reform to address misinformation and polarization. Press freedom can be maintained by a self-regulatory mechanism that would have independent oversight and also make the press accountable. Simultaneously, the emergence of social media necessitates the massive digital literacy campaigns to enable citizens to critically analyze information. Civic education must educate citizens on how to identify misinformation and to resist being manipulated in order to strengthen the informed choice in the democratic process.

5.3 Inclusive Governance

1. Greater Participation of Women, Youth, and Marginalized Communities: A real representative democracy needs to have the representation of every social group. Regardless of the recent progress, the legislatures are still underrepresented by women. When the Women Reservation Bill is successfully implemented, gender relations in politics might change. On the same note, youth involvement in politics can be intensified by lowering voting age reforms, leadership initiatives and political internship. The marginalized people (Scheduled Castes, Scheduled Tribes, OBCs, and minorities) have to be provided with a fair opportunity in decision making to ensure that democracy is beneficial to everyone.

2. Decentralization: Strengthening Panchayati Raj Institutions: The 73 rd and 74 th Constitutional Amendments came up with the Panchayati Raj and urban local bodies which institutionalized the grassroots democracy. Such bodies usually however, do not have sufficient financial and administrative authority. Local governments can be promoted by enhancing fiscal decentralization, training local officials and conducting periodic elections to make a local government a vivid center of democracy.

3. Participatory Democracy through E-Governance: The digital technologies have the potential to improve the connection between the state and citizens. Democratization of governance can take place through the implementation of initiatives such as online grievance redressal systems, e-petitions and participatory budgeting. This is, however, necessitated by bridging the digital divide so as to have equitable access. It can be inclusive e-governance to improve transparency, efficiency, and accountability to develop a more participatory democracy.

5.4 Reinforcing Constitutional Morality

1. Dr. Ambedkar's Vision of Constitutional Morality: Dr B.R.Ambedkar noted that constitutional morality, respect of procedures, institutions and values is the necessary condition of the survival of democracy. In its absence, political democracy is in danger of being empty. Constitutional morality also needs reestablished by the leaders and citizens as the focus on justice, liberty, equality, and fraternity should take precedence over individual interests. The political culture should change the power struggles to an appreciation of the constitutional duties.

2. Civic Education and Constitutional Literacy: Civic education is a key avenue of strengthening constitutional democracy. A great number of citizens do not know their rights and responsibility in the Constitution. The culture of informed citizenship can be established through the introduction of constitutional literacy programs in schools and the community. Universities, NGOs, and media may also be involved in spreading the content of the democratic values and institutions.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

3. Promoting Fraternity and National Integration: In a diverse nation like India, fraternity is what cement democracy. Interfaith dialogue, cultural interactions and community-based programs would go a long way in building trust and minimizing polarization. Constitutional democracy is flourishing when citizens do not perceive each other as enemies or even rivals because of their caste, religion, or linguistic backgrounds but as equal participants in the national project.

5.5 Balancing Rights and Duties

1. Fundamental Duties in Practice: Fundamental Rights have been given much consideration as compared to Fundamental Duties (Article 51A). Rights would be equalized with the responsibilities by encouraging citizens to embrace obligations like the respect of the Constitution, facilitation of harmony, and fairness towards the rights of the populace and their property. A culture of responsible citizenship may be achieved by integrating responsibilities in civic education and popular campaigns.

2. Environmental Democracy: Right to a Healthy Environment: One of the democratic challenges has been environmental sustainability. Judicial verdicts have identified the right to clean and healthy environment as an right to life under Article 21 (Right to Life). In the future, India needs to enhance environmental control by use of participatory systems, community participation in conservation and responsibility on environmental degradation. Environmental democracy ascertains that the future generations would have both a healthy future and a strong democracy.

5.6 Path towards Amrit Kaal (2047 Vision)

With India nearing its 100 th anniversary of independence in 2047, the vision of Amrit Kaal provides a chance to reestablish democracy in the future.

1. Building a Self-Reliant, Just, and Inclusive India: The way ahead should be economic self-reliance mixed with social justice. It should not be a boom economy at the expense of increasing inequality. The socio-economic inequalities, marginalization, and access to all-inclusive health, education, and livelihoods are all elements that are needed to realize a just India.

2. Bharat as a Model of Sustainable, Participatory Democracy: In terms of extreme diversity, the experience of India in democracy can be used as an example to the rest of the world. Bharat can show the way democracy can be inclusive and sustainable by striking a balance between cultural pluralism and constitutional values. Other countries facing the same struggles can be motivated by a participatory democracy that is based on constitutional morality, fraternity, and civic responsibility.

To make Bharat a stronger constitutional democracy on the multi-pronged agenda, it is necessary to reform the election, strengthen the institutions, be more inclusive, affirm constitutional morality, put rights and obligations into balance, and to look into the long-term democratic future. These tracks based on the ideals of the Constitution will help India to achieve the pledge of We the people of Bharat today as well as in the future generations.

Conclusion

We the people of Bharat is a phrase that is still echoing as the moral and constitutional anchor of the Indian republic. Quite to the contrary, these words are the quintessence of popular sovereignty, collective responsibility, and democratic legitimacy, rather than a ritual introduction to the Constitution. They remind us that the Constitution does not come like a gift to people by their rulers but as a serious commitment of the citizens to themselves to rule themselves in accordance with the principles of justice, liberty, equality, and fraternity. In reiterating this ideal, we accept that this endurance of Indian democracy is not based merely on institutions and laws, but on the active involvement and moral engagement of Indian democracy as well.

The democratic process in India that followed the year 1947 has been extraordinary in its dimension and persistence. During the era of independence, not every one believed that democracy would be able to survive in a nation that was afflicted with poverty, illiteracy, and vast social diversity. However, the Constitution turned a new, highly hierarchical society that had just become liberated into the largest democracy in the world of universal adult franchise at the beginning. During the decades, India managed to hold regular elections, keep the military under civilian political control, and independent judiciary; something many post-colonial states failed to achieve.

The Green Revolution and economic liberalization, the strength displayed following the Emergency (19751977), the peaceful transfer of power at the Centre and in the states, the growing involvement of the marginalized groups in the political process are the landmark moments in the Indian democratic history. Democratic consciousness has also been further enhanced by the civil society movements such as the anti-corruption agitation, the right to information and environmental justice movements. The democratic path of India is an example of how constitutional ideals can be transformed into a new reality.

However, this has not been a smooth sailing process. Modern India is experiencing political centralization, the loss of parliamentary culture and the increasing power of money and muscle in elections. The democratic fabric remains under the strain of social inequalities, namely, the discrimination of the castes with regards to religion and gender exclusion. The autonomous role of the judiciary, the Election Commission and the media is under new pressure

and the relationship between the Centre and the states is strained by federal tensions. Corporate power and economic inequalities are on the verge of emptying democracy and civil liberties are usually challenged under the banner of national security.

Solutions should hence be both structural and cultural. Representation can be enhanced by electoral reforms like financing elections by the state, tougher measures against criminal nominees, and the prospect of proportional representation. Accountability is essential as the institutional protection, such as openness in appointing Election Commissioners and judges. Civic education and constitutional literacy can ensure citizens use their rights responsibly by carrying out their duty. Most importantly, it is necessary to reinforce the vision of the constitutional morality that was proposed by Dr. Ambedkar since there is no constitutional design that can keep democracy alive when its spirit is lost by both people and politicians.

In spite of all these, there are some strong grounds to be confident. The Indian civil society is very active, the judiciary is active, the media is independent (even with its weaknesses) and most importantly the people of India believe in democracy, which forms great sources of renewal. The increasing voter turnout especially among women and marginalized groups is a sign of increased commitment towards democracy. Technological change when combined with digital literacy has the potential to transform the governance into a more participative and transparent process. Amrit Kaal vision till 2047 is a chance to redefine democracy in the coming century, one that is inclusive, sustainable, and an international one.

The future of India in the 21 st century is in strengthening and not watering down democracy. India can set the course of resilience in democracy by enhancing electoral and institutional change, adopting an inclusive government, distributing rights and responsibilities, and fostering fraternity among distinctions. By so doing, Bharat might become an example of how constitutional democracy can flourish in the environment of diversity, inequality, and high pace.

In conclusion, We the People of Bharat can be said to be not just a preambular phrase but a living statement of the democratic identity of India. It represents the hope of joint sovereignty, cultural continuity and moral answerability. The process of attaining independence by India to date indicates the success of constitutional democracy and the obstacles that have addressed the strength of India. However, through careful reforming and a new dedication to constitutional morality these crises can be turned into opportunities of deepening democracy.

With India about to celebrate its 100th anniversary of independence, the idea of a self-reliant, fair, and inclusive Bharat gives us hope that the Republic will not just continue to celebrate its democratic legacy but also make the world follow suit. Indian democracy is a gift of the people who would like to own the Constitution as a living breathing document, and not as a document written somewhere far away. In this respect, the timeless quality of We the People of Bharat can be said to be in its ability to remind that democracy is a privilege as well as a duty, a living process that needs to be taken care of on a daily basis.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Breaking the Fourth Wall: Subversion and Resistance in Post-Independence Indian English Drama

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Manuscript ID:
JRD -2025-170952
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 208-211
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The paper challenges the application of the theatrical tool of breaking the fourth wall as a subversive and defiant tool of post-independence Indian English drama. Placed in the context of socio-political events of postcolonial India and the national identity searching, this paper presupposes that the intentional violation of the traditional theatre space enables dialogic interaction of the actor and the spectator, and, subsequently, disrupts the framework of dominant narratives and hegemonic discourses. The research provides an explanation of how the meta-theatrical strategies of breaking the representational norms can be used to prefigure marginalized subjectivities and challenge the systems of power, colonial pasts, and socio-political injustices, through a close textual and performative analysis of influential works by playwrights like Girish Karnad, Mahesh Dattani, and Manjula Padmanabhan.

It turns out to be a powerful point of political intervention and disrupts the colonial epistemologies of the state formations of postcolonial subjects by making the audience enter into a reflexive situational zone of critique and resistance. The paper will also argue that this type of dramaturgical innovation problematizes the limits of theatrical realism and illusion and plays a part in the rearticulation of Indian identity and the restructuring of dramatic form in the post-independence period. Finally, this paper concludes that the breakage of the fourth wall in Indian English theater is a maneuver of strategic aesthetics and ideology, in which playwrights can challenge dominant ideologies and imagine emancipatory options within the fast-changing culture environment.

Keywords: *Indian English Drama, Post-Independence Theatre, Breaking the Fourth Wall, Subversion, Resistance, Meta-theatre / Meta-theatrical Strategies, Hegemonic Discourses.*

Introduction

Although Indian English drama has not always been as commercially celebrated as its prose and poetry counterparts, it has been important in putting into question and questioning the socio-political realities of the post-Independence Indian state. The Indian stage has now become an influential terrain of dissent and in the years since 1950, playwrights have utilized performance not only to entertain but also to subvert and fight back. The breaking of the fourth wall is a particularly useful metaphor about obstructing the sense of reality between actors and the audience and is an interesting structure to examine how dramatists disrupt the authority, ideologies, and cultural orthodoxy.

This paper will look at how post-Independence Indian English playwrights have been able to challenge gender inequality, caste oppression, communal tension, sexual identity as well as political corruption using the stage. These plays are not passively represented, many are highly participatory and disruptive of narrative form, and ask the viewer to face ugly truths. Mahesh Dattani, Manjula Padmanabhan, Gurcharan Das, and others have employed experimental techniques, symbolic staging and direct address to the audience to deconstruct the traditional dramatic models and reconstruct theatre as a site of critical interaction.

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How to cite this article:
Shelake, S. S. (2025). Breaking the Fourth Wall: Subversion and Resistance in Post-Independence Indian English Drama. Journal of Research & Development, 17(9(V)), 208–211. https://doi.org/10.5281/zenodo.17746589

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17746589
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

This research will attempt to identify the way in which Indian English drama constructs a performative space of those voices that are repressed or marginalized within mainstream discussion by examining the plays of some major authors who represent this radical and resistive aesthetic. So, it makes Indian theatre not only a product of culture, but also a politically colored event of struggle and social critique.

Since Independence, Indian English drama has been, in turn, a reflection of the complicated socio-political transformations of the nation. Although Indian theatre of an early period tended to be nationalistic and social reform oriented, Indian English drama of the post 1950 period started emanating into a more radical and contemptuous area. The playwrights started to question the authority, reveal hypocrisies, and predict problems that were regarded as a taboo or that people did not want to talk about on the stage caste, gender, sexuality, political corruption. This is not only a stylistic device of breaking the fourth wall, but a symbol of the drama interfering with society: not to be locked in the tradition or silence.

Mahesh Dattani: Giving Voice to the Silenced

Mahesh Dattani is perhaps the most influential modern Indian English playwright, and his plays are the best examples of the application of theatre as resistance. Final Solutions (1993) is a potent criticism of communalism in India by him that he wrote in a play bearing the same title. Dattani unsettles the linear narrative structure by mixing the past and the present and featuring symbolic characters such as the chorus (putting on various masks and representing both Hindu and Muslim communities) and should make the viewers reconsider their own prejudices.

Dattani in Bravely Fought the Queen (1991) uses gender roles and patriarchal violence in the Indian upper-middle-class families. The characters often speak candidly in stylized monologues and oblique addresses to the audience basically breaking the fourth wall, in an effort to expose the empty center of today's respectability. Subversion of Dattani is not confined to content alone, it is also more related to form, his plays frequently deny a resolution, challenge morality, and provide discontinuous narratives that perhaps represent the discontinuous identities of his characters.

Dattani, in On a Muggy night in Mumbai, approaches the topic of homosexuality, which is still criminalized by section 377 at the time of writing, sensitively but in a confrontational manner. The play provides a platform to the voices of the queer, through the dialogue of confessions and direct address to the viewers to break the silence of same sex desire. The act is in itself rebellious to the law and the society.

Manjula Padmanabhan: Dystopia as a Political Allegory

Harvest (1997) by Manjula Padmanabhan is a dystopian drama, which criticizes the commodification of human body, and the exploitation arrangements of global capitalism. The play is based on an Indian man who is unemployed and sells his organs to the rich Westerners via a foreign agency. The family is stalked by the video display of the buyers all through, a scene that leaves the idea of technological penetration and exploitation of the body chilling.

Padmanabhan employs the stage as an alienation space. The people have unnatural rhythms in their speech, their feelings are suppressed and their desires are controlled by the outside forces. This fourth wall is both figurative and literal: the family is also being followed by the prying eyes all the time, as the audience is. The generated discomfort is a deliberate gesture of protest against the voyeuristic, exploiting nature of the world capitalism as well as the domestic apathy. The audience is complicitized, and they are compelled to doubt their role as consumers and spectators. stage Harvest is deliberately unrealistic, the sterile lighting, dehumanized language, and discontinuous action. This is a Brechtsian influence, which adds to the subversive possibilities of the play, as the audience is now critically conscious of the systems of oppression.

Poile Sengupta and Child point of view

The poem thus Spoke Shoorpanakha, So Said Shakuni (2001) by Poile Sengupta revisits the mythological roles to bring up feminist as well as political concerns. She takes a twist to classic stories by empowering and making voices heard to characters commonly demonized within the Hindu myths; Shoorpanakha and Shakuni. The play is a mixture of mythology and the modern political speech, as it makes the comparison between the ancient injustice and the contemporary oppression systems.

Irony, humor, and satire are piled into the language of the play and characters frequently speak to the audience directly — making them reevaluate their interpretation of cultural texts. Sengupta transforms the most common narratives into spaces of resistance, where voices that have traditionally been silenced by patriarchal and nationalist discourses are given space to express their voices. Re-voicing of epic villains is in itself a protest against literature.

Political Theatre and Asif Currimbhoy

One of the earliest Indian English dramatists to write outright political plays was Asif Currimbhoy who also employed theatre as a direct critique of the postcolonial administration as well as foreign politics. The play The Refugee (1971) is devoted to Bangladesh refugee crisis, and the play Goa (1964) is devoted to colonial remains and the neo-colonial power.

Although more traditionally organized, the plays of Currimbhoy tend to have certain didactic passages and even direct audience appeal - making the viewers be actors, not spectators. His theatre is activist and aims at raising

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

political awareness by making people feel uncomfortable instead of escaping. His plays tend to be left open leaving the audience with the moral judgment.

The Moral dilemma and Gurcharan Das

The issues of Mira by Gurcharan Das (1979) and 9 Jakhoo Hill (1992) revolve around the moral conflict of the individual in bigger social structures. Although not so blatantly political as Dattani or Padmanabhan, Das does not hesitate to breach the fourth wall by philosophically examining the issue and placing the characters in a position to ask themselves and the audience questions about integrity, tradition, and selfhood.

Das tells a story about the breakdown of a colonial elite family in 9 Jakhoo hill, which is set in the midst of the 1962 Indo-China war. The war is just a background of the personal struggle and degradation as the symbol of the loss of moral wholeness in the Indian postcolonial society. The structure is classical, however, the emotional confessions and crumbling ideals reveal the rot within the system a minor, yet powerful opposition to the sterilized stories of national pride.

Moral Dilemma and Gurcharan Das

In Gurcharan Das, Mira (1979), and 9 Jakhoo Hill (1992), attention is paid to the moral dilemma of the individual in the greater social structures. Not so political, but not as direct as Dattani or Padmanabhan, Das set the fourth wall aside using philosophical and self-directed monologues to involve the audience in moral, customary, and identities questions.

Das exposes the break up of a colonial elite family in 9 Jakhoo Hill, which is based in the year 1962 in the war of Indo-China. The war serves as a context behind the individual struggle and downfall in the form of the moral morality lose in the postcolonial Indian society. The form is classical, but openly revealed is the rot within the system by the emotional confessions, and the crumbling ideals - a quiet but effective riposte to the sterilized histories of national pride.

Two giant personalities in contemporary Indian theatre are Girish Karnad and Vijay Tendulkar, who have produced bold and socially oriented plays incorporating tradition and a contemporary content.

Girish Karnad was a master with mythology and history to address contemporary dilemma though he wrote mostly in Kannada. His works such as Tughlaq, Hayavadana, and Nagamandala are the reflections of strong interest towards Indian culture and philosophy; however, they are also commenting on the current problems of the political power, identity and gender roles. However in Tughlaq, Karnad uses the example of a visionary but unsuccessful ruler to be able to compare the disappointment over post-independence India. The multi-dimensional nature of his work is enabled by the folk stories and myths, which are usually intertwined with symbolism, thus, providing an opportunity to explore the characters and their inner struggles.

Vijay Tendulkar, however, is a realist and psychologist. He wrote in Marathi addressing the issues of violence, patriarchy and social injustice in a brutal manner. Ghashiram Kotwal, Sakharam Binder, and Silence! were some of the plays. The Court is in Session is a challenge on the hypocritical conservative Indian society and the misuse of power. The characters of Tendulkar are usually defective, and complicated persons caught in the grip of tyrannical societies. His plays were highly political and in many cases controversial and set to provoke thought and discomfort to his audience.

As Karnad searched the allegory and myth to comment on the world, Tendulkar turned to the fact and the challenge. However, both of the playwrights transformed the Indian theater by giving a voice to the sidelined, challenging authority, and pushing the limits. Their work has continued to make significant contributions to the Indian literature and performance arts that has impacted generations of writers, directors and actors.

Perversion by Form and Language

In these illustrations, it comes out clear that Indian English dramatists are not only happy with mirroring social issues - they are out to upset. This disruption is formally accomplished by fragmented narratives: no longer to believe in smooth plots; non-realist staging: Use of symbolism, abstraction, non-linear time, audience engagement: direct addressing, open endings, and confrontational dialogues, language hybridization: to mix English with Indian idioms, resist linguistic purity.

Conclusion

Indian post-Independence theatre and especially Indian English theatre has come to be increasingly a place of radicalism - a place of resistance and reinvention. By literally and metaphorically breaking the fourth wall, the modern playwrights pervert the classical aesthetics and the sociopolitical conventions. The excavation of the repressed identities of Dattani, the dystopian criticism of Padmanabhan, or mythological re-tellings of Sengupta, these playwrights upset the order and meaning of the natural state of things and define the nature of the theatre itself.

This literature demonstrates that Indian English drama is not a fringe of literature, a fringe of literature, but a lively place where art means activism - Where silence is shattered, and resistance is acted on stage.

Indian English drama in the post-independence period has become an active place of resistance and subversion and socio-political criticism. Breaking the fourth wall, either literally or figuratively, has enabled playwrights to

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

interfere with traditional narrative forms, confront audience passivity, and address directly important issues of authority, identity, gender, and morality.

Girish Karnad uses myth and folklore to help break the boundary of time and narrative and to indirectly place the audience in the moral and existential dilemma. His dramas, such as Hayavadana and Tughlaq, have provided a stratified reality, which the audience can challenge even the roots of history, self, and the state. The storytelling and the character asides serve as the metaphorical dismantling of the fourth wall obliging to ponder on the current matters in the prism of tradition.

In opposition to that, Vijay Tendulkar employs stark realism and straightforward challenge to break the barrier between the stage and the society. In plays like Silence! The Court is in Session and Sakharam Binder, he is not only revealing the hypocrisies of social institutions but also putting the audience itself into question. Characters can be used as reflections to the viewer and there is a thin line between the acting and the real world.

Finally, the breaking of the fourth wall in Indian English drama turns into a political act an invitation to the audience to shift its position of passive spectators to active critical spectators. These playwrights disrupt mainstream accounts and provide the platform, where resistance can be possible not only on stage, but in the minds of viewers as well. The theatre therefore becomes a place of self-reflection, discussion and possible reform in the post independent India.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Black Voice, Democracy, And Constitutional Promises: Marita Golden's The Edge Of Heaven As A Transnational Reflection

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Manuscript ID:
JRD -2025-170953
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 212-214
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Edge of Heaven by Marita Golden is an emotive novel that brings out issues of African American femininity and hardships, silence and survival. The story recalls trauma, incarceration, motherhood, loss, and struggle to find dignity after trauma. The present paper understands the novel as playing a crucial role in comprehending the meaning of the term voice in democratic life. It contends that the text is not merely a personal or cultural narrative, but it also gives us some sense of the ways in which literature can be used to aid societies consider equality, justice, and the potentials of constitutional democracy.

The voice in the novel is not necessarily loud and confrontational. It can be manifested in silence, in everyday life, in caring gestures or in creative activity. These expressions indicate that the question of democracy is not just about formal rights but the question of how the day-to-day lives are marked out by dignity and recognition. This paper demonstrates how this text is relevant to the constitutional journey of India at seventy-five years by relating the struggles of the novel with the ideals of liberty, equality, and justice. The comparison emphasizes the fact that literature can be used as a reflection of democratic societies, in reminding them that the constitutional pledges should apply to the margins. The Edge of Heaven turns out to be a strong reflection of the personal agony and the power of communality as one forming the ever-present protest against democracy, the dissent and the everlasting search after the inclusive justice.

Keywords: *Black voice, African American femininity, Silence and survival, Trauma and incarceration, Motherhood and loss, Democratic voice, Constitutional democracy.*

Introduction

In many cases, literature can give a better explanation of human experience compared to that which can be given by law or politics alone. Novels become the captives of the human plight of individuals and groups, they show the unseen price of injustice, and the silent courage that people must muster to endure it. The Edge of Heaven by Marita Golden is one of such novels. It unites the voices of a number of women of different generations who have to experience grief, imprisonment, abandonment, and silence, and who still strive to find dignity, healing, and belonging.

This paper concentrates on the manner in which the novel expresses the voice of blacks as the voice of survival, resistance and revival. The sense of voice is not just a verbal word. It appears in silence, in memory, in day to day activities and in those acts of creativity. These kinds of expression demonstrate how the marginalized groups affirm their humanity even in situations that do not necessarily allow them to be recognized.

Indian Constitution, which was adopted 75 years ago, is a guarantee of equality, liberty, dignity, and justice. These promises do not exist solely in the laws, they are practiced in families, communities and institutions as part of their everyday lives.

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How to cite this article:
Shinde, A. D. (2025). Black Voice, Democracy, And Constitutional Promises: Marita Golden's The Edge Of Heaven As A Transnational Reflection. Journal of Research & Development, 17(9(V)), 212–214. https://doi.org/10.5281/zenodo.17746646

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17746646
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Through the prism of the concept of democracy and constitutional values, this paper shows the way in which literature indicates the disjuncture between ideals and reality, The Edge of Heaven in this paper. It further demonstrates the way literature can help us consider inclusive justice, not just in the United States, but also in India and other societies that uphold constitutional democracy.

1. **Voice as Struggle and Return**

The novel starts with the arrival of Lena, a woman who has come out of prison that has to confront her family and community after coming out of the prison after a long time. She is conditioned by sorrow and remorse and the need to restore relationships. Her presence is usually characterized by silence, hesitation and gesture which indicate her desire to fit in once again as opposed to the bold speeches. This tedious and delicate regaining voice is the process that other individuals who attempt to reenter society after punishment battle.

Indian Constitution ensures dignity and freedom to all the citizens. However, in reality, individuals, who are imprisoned or ostracized, frequently have difficulties reentering the general population as heard. The case of Lena shows that the process of restoring dignity needs more than legal privileges. It requires time, tolerance and the readiness to listen on the part of others. Her experience indicates that democracy has to spread the assurances to people who come back to the periphery of the society.

2. **The Voice of the New Generation.**

Another type of voice is that of Teresa, the daughter of Lena. She has been brought up without a mother, influenced by grief and sadness. Her voice is hesitant, obstetric, and even vituperative. She is not very talkative and prefers to remain silent instead of being open to conflict. But silence is not in vain on her side. It is the lament of being left behind and the hardness of the trust.

In the case of a democracy, the freedom of expression among the younger generation is critical. Equality and freedom of expression provisions in the constitution are put to test when the children live through the lessons of loss, instabilities or neglect. The reserved voice of Teresa reveals the suppression of perception by trauma, and how the prospect of freedom must not omit the emotional and psychological comfort of citizens.

3. **The Power of the Voice of the Dead.**

Ma Adele, the grandmother, is a person of strength and control. She has united the family by routine, faith and strength. Her voice is strict and realistic and it is based on survival and not emotional outburst. She does not constantly talk about her sorrow, yet she tends to care with her everyday life like cooking, keeping the house, and instructing the pupils of the younger generation.

This is a voice that is not given much attention as it does not sound loud or loud. But it is the support of society. The role of Adele in the constitution makes us remember that justice and equality are not limited to the courts of law, but the labor in our daily lives as well, especially the female servants of the home and society who maintain balance within the family and society. The pledges of democracy have no chance to touch the life without such undercover work.

1. **Expressing Imaginatively as an Outcry.**

The voice in another dimension is depicted by ander Miss Thelma who would stuff her room with fabrics and colors; her remembrance indicates that she was a milliner. She is the one who talks through creativity, imagination and beauty. Her hats and world of art provide her with the other room of liberty that does not touch upon the rigid survival regimes.

Through her example, it is possible to learn that voice does not also mean protest but it also means the creativity. As valuable as the freedom to criticize, in a democracy is the freedom to imagine and to create, as well as to express beauty. The life story of Miss Thelma implies that art is a kind of resistance and survival, a means of personalizing oneself during difficult circumstances.

2. **The Absent Voice of Kenya**

The other daughter of Lena is Kenya, who is missing in the current narrative as she is no longer alive, yet her image influences the life of all the characters. Her silence turns into a a strong presence. The sorrow, the consciences and the pangs of desire of the family revolve around her loss. Through this Kenya is addressing us through memory where even the dead can affect the living.

This is a lost voice, a voice of everyone whose life is disrupted by injustice, neglect or violence. Memory and struggles of survivors save the voices of the forgotten and the dead in democratic societies. The absence of Kenya points to how societies need to revere the silenced and to take care of the fact that their narratives are not lost in the collective memory.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

3. The Communal Voice

This is also evident in the novel where voice is not restricted to individuals. Porches, churches, and kitchens are the areas where there is community memory being shared. Neighbors watch, comment and recall. The part of this communal voice is silence, gestures, and little interactions. It does not necessarily have a supportive effect, it can be judgmental. But still it demonstrates that people are never alone.

This communal sound environment is an echo of the democratic ideology of building a society with common voices. A constitution can assure freedom of expression but communities will bring such freedom to existence. The community determines the means through which return and reconciliation can take place whether through acceptance or exclusion. The novel shows the potentialities of this shared role and the restrictions.

4. Constitutional Promises: Literature as Reflection

These voices interwoven make The Edge of Heaven more than a family story. It turns into the consideration of how societies are treating those who are silenced, marginalized or forgotten. The novel insists on the fact that dignity is not a given thing, it has to be brought back through care, patience and attention.

This message is very powerful in reference to the constitutional journey of India. The Constitution ensures equality, liberty, dignity and justice. However, in reality, women, disadvantaged people, and the poor find it difficult to be heard. Such works as The Edge of Heaven are reminding us that democracy cannot be evaluated solely through laws and institutions. It also should be gauged in terms of availability of listening to the silent voices of marginalized citizens.

Conclusion:

The Edge of Heaven by Marita Golden provides us with a very vivid picture of how a literature brings out the battle of dignity and voice. Voice is not necessarily loud; voice is sometimes silent, routine, creative and not present at all, as demonstrated in the novel. All of these types of voice represent another variant of surviving injustice and restoring humanity.

Put in a dialog with the constitutional values, the novel speaks of the incessant dilemma of achieving equality and justice in our everyday lives. It educates that constitutional pledges are not done in the courtrooms or parliaments alone but they are also done at homes, families and communities. Listening, accepting, and recognizing others is the power as significant as the official statement of rights.

The Indian Constitution is a ray of hope even at seventy-five years. But it like the novel tells us that democracy is not a completed deal. Literature can make us understand this well, with individual suffering and social strength both having to be included in the national narrative. The Edge of Heaven is thus a transnational commentary as well as a story of African American women on what it takes to make constitutional ideals real.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Literary Reflections On Gender, Democracy And Constitutional Promises: Reading Hilary Mantel's Eight Months On Ghazzah Street

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Manuscript ID:
JRD -2025-170954
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 215-217
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Eight Months on Ghazzah Street (1988) by Hilary Mantel is not only a story about life of the expatriates in Saudi Arabia, but it is also a literary reflection on gender, democracy, and suppressed voices that are somehow marginal to the society. The feminist criticism of the novel is reinterpreted in the paper to consider the theme The Indian Constitution at 75: Reflections, Amendments and Future Pathways by contextualizing the novel within the perspectives of democracy, dissent and constitutional pledges of equality and dignity. The novel reveals the stratified processes of spatial control, silencing and patriarchal surveillance to entrap women through the experience of Frances Shore, a British cartographer who was dislocated in Jeddah. Using the strategies of narrative used by Mantel and feminist theorists, Simone de Beauvoir, Judith Butler and Chandra Talpade Mohanty, the paper suggests that the novel criticizes not only Saudi patriarchy but it also puts Western complicity and cultural imperialism to question. This multiple-level commentary reflects the problems encountered in the Indian process of democratization in which the constitutional principles of justice, liberty, equality and fraternity have frequently come into conflict with the established patriarchy and social-cultural hierarchies.

As this paper hypothesizes, literature is one of the critical places where constitutional ideals can be reflected. As the novel made by Mantel reveals the hidden aspects of women lives, the Indian English literature of seventy-five years has raised the issues of democracy, diversity, dissent and gender justice. As we read Eight Months on Ghazzah Street in this context, we find out how world feminist discourses may make or break the Indian attempts to fulfill its constitutional commitments. The unresolved tension, the ambiguity and the silence that Mantel describes in his terrifying story reflects the unfinished character of the constitutional democracies where equality and freedom are not a reality but rather an aspiration. In that way, this paper will establish Mantel novel as a feminist book with global implications that can be reflected in India through a literary prism as a constitutional nation on the path of inclusive democracy.

Keywords: *Gender oppression, Feminist critique, Patriarchy and surveillance, Spatial confinement, Silencing of women, Expatriate alienation, Psychological trauma, Intersectional feminism, Cultural imperialism.*

Introduction:

Hilary Mantel wrote Eight Months on Ghazzah Street (1988) as a psychological thriller or expatriate alienation; however, the story contains on an undertext of feminist critique of suppressing and containing women and dominating men. Frances Shore, the main character, goes to Jeddah together with her husband and soon became trapped in the world of surveillance, locked doors and unseen women. Mantel employs the alienation of Frances to reveal the world systems of oppression based on gender across the geographical boundaries.

With The Indian Constitution at 75, it is an effective reflection of the novel to bring democracy and promises of the constitution to mind.

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How to cite this article:
Toraskar, P. D. (2025). Literary Reflections On Gender, Democracy And Constitutional Promises: Reading Hilary Mantel's Eight Months On Ghazzah Street. Journal of Research & Development, 17(9(V)), 215–217. https://doi.org/10.5281/zenodo.17746676

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17746676
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The Constitution of India is based on the principles of equality, liberty, justice and fraternity - but the reality of women remains to be defined by silencing, confinement and erasure. Through reading Mantel and the constitutional principles of democracy and gender justice, this paper will examine how literature offers the ideological dissent to reflect and be critically engaged.

Although the feminist critique by Mantel is based in Saudi Arabia, it is familiar to the plight of women in India and other places. The conflict between what the constitution promises and the way the society is conducted can be noticed once the experiences of Frances are put in the context of the democratic values. Literature is therefore both a witness and critic--discovering what democracy usually covers.

Literature Review

Even though the focus on Eight Months on Ghazzah Street is much lighter compared to the focus on the Mantel historical fiction, it is a crucial figure in the feminist and political literature research. The postcolonial criticism in it has been observed by scholars, although the way it resonates with democratic and constitutional discourses has not been fully addressed.

Three feminist platforms, which this paper is based on, include: Simone de Beauvoir, in her book, The Second Sex, (Otherness) reveals that women in the novel (and in most societies) do not have subjectivity and are marginalized. Judith Butler, in her performativity (Gender Trouble) earlier discusses gender roles imposed and enforced through social norms, and this is used to explain both Saudi women and the expatriate wives. The belief by Chandra Talpade Mohanty (Under Western Eyes) of Western feminism is not to homogenize non-Western women but to demand a more careful comprehension of cultural and intersectional oppression. Using these frameworks, the feminist critique of the novel is interlaced with constitutional issues of equality, freedom and dignity. Articles 1416 in the Indian Constitution provide equality and Articles 2121A provide dignity and education, but literature continues to tell us that the realities we live do not usually comply with the textual provisions.

Feminist Themes In The Novel

Spatial Confinement and Surveillance.

Females in the Mantel novel are confined in walls and veils with their movements being highly policed. Frances herself is in prison in her apartment where she is being followed by neighbors and guards. This reminds constitutional arguments that focus on the freedom of movement and personal life. When the Constitution is ensuring liberty, what is the consequence when social norms erect invisibility prisons? The oppressive atmosphere created by Mantel in his claustrophobic spaces resonates with the attempts of the Indian women in their freedom that is limited by the surveillance of patriarchs.

- **Shutting down and Re-writing of Women.**

Lack of voice of Saudi women in the novel is a reflection of how women are silenced in patriarchal societies. The interest of Frances in the mysterious fading of a woman can be used symbolically of the disappearance of women stories. In Indian Constitution, free speech is safeguarded, but the Indian Constitution is silent on silencing- either by honor or by stigma or systematized exclusion. Mantel fades away to remind us of a promise of voice of all that was not to be fulfilled in the constitution.

- **Psychological Alienation and Gendered Trauma.**

The psychological consequence of years of repression is reflected on Frances as she is paranoid and isolated. In this case literature is witness: narrating a trauma makes the readers address invisible violence. Gendered violence and discrimination tend to compromise constitutional dignity in India. This persisting disjunction between text and social reality, found in constitutional text and social reality, is comparable with Mantel in his feminist psychological portrait.

The Intersectionality and Cultural Critique are the two components.

Mantel is not only criticizing Saudi patriarchy, but also western hypocrisy. Expatriates imitate the race, classes and gender hierarchies. This is in line with the postcolonial experience in India where colonial inheritances and caste/class relations encumbrate constitutional principles of equality. Intersectional feminism of Mohanty assists in filling the gap between the criticism of Mantel and India trying to manage the cultural difference and Democratic inclusivity.

- **Mantel's Narrative Strategy**

Even the form of Mantel is political. The disjointed narration, silence and incompleteness reflect the disjointed life of a women. The claustrophobian atmosphere forces the readers to experience the alienation of Frances. When she rejects closure in the disappearance of the neighbor, Mantel rejects the narrative resolution as women stories are not yet complete, just like constitutional democracies are still in progress.

Discussion

The weakness of promises is seen in the politeness of the novel of Mantel through the prism of constitutional democracy. The continuation of gender injustice indicates that there is a discrepancy between the law and life just as India is commemorating 75 years of its Constitution. Literature such as that by Mantel turns into a place of

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

disidentification: it does not resolve oppression, but testifies about it. Frances Shore is not a liberator, she is a witness. This rejection of heroism attacks the savior complex of Western feminism and the triumphalism of constitutional democracies. The actual democracy indicated in literature should be one that hears the voices that are oppressed and not those that are voiced.

Conclusion:

Eight Months on Ghazzah Street is an anti-male text that has global appeal. This paper will show how literature will contribute to reflections on 75 years of constitutional journey in India by placing the critique of gender oppression as put forward by Mantel in the context of democracy and promises made by the constitution of India. The confinement, silencing and alienation themes in the novel resonate with situations in which women face struggles in any setting, and it is the need to remind us that constitutional values of justice, equality and dignity are only aspirational until they are experienced in reality. Mantel is not willing to complete the narrative story, and this is similar to the project of democracy that has not been completed. The Indian Constitution is a tower of ideals and at 75 years is a reminder that the process of actualizing the ideals, especially to women, is still a long journey.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Safeguarding Democracy through Learning: Challenges in the Indian Constitution and Education

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Manuscript ID:
JRD -2025-170955
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 218-221
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Constitution of India, plans an egalitarian community founded on the foundations of justice, equality, liberty, and fraternity. Education is one of the core areas of realizing these ideals as it is a way of empowering the citizens, social divide and promotion of a democratic ideal. The constitution framers introduced a few provisions to ensure the right to education, protection of the marginalized communities, and equitable access to education opportunities. It is interesting to note that Article 21A ensured the Right to Education as one of the fundamental rights which strengthens the process of nation-building through education, but there are many obstacles to the practical implementation of these constitutional promises. Discrimination in the form of structural inequalities between caste, classes, gender and regions remains the barrier to access to education. Unequal access to education occurs due to disparities in rural and urban regions as well as the digital divide. The policies of language, privatization and commercialization of education bring up the issue of inclusiveness and affordability. The federalism of Indian government and the subject of education on both the Union and the States are some of the factors that cause anomalies in policy and poor execution.

Besides, even though the judiciary has been involved in several landmark cases because of its role in supporting educational rights, there are still loopholes between legal requirements and reality on the ground. Problems such as low infrastructure, insufficient training of teachers, high turnover and un-employability in tertiary education still exist. With the introduction of the National Education Policy (NEP) 2020, there has been a new vision, though, it will need the strong political will, financial investment, and constitutional alignment to be successful.

Keywords: *Indian Constitution, Right to education, Education inequality, Privatization of Education, NEP 2020, Democracy and learning.*

Introduction

Indian Constitution and education have a structural relationship since they both fulfill the greater goal of creating a democratic nation. The Constitution provides a vision of social change, and education offers the tools that will achieve such a vision. Without a powerful and comprehensive system of education, the even conception of justice, liberty, equality and fraternity which constitute the Preamble of our Constitution will never be real.

India has never considered education as a simply a means of literacy but rather a means of empowerment. It produces knowledgeable citizens who will be able to challenge authority, engage in democracies and social and economic progress. The framers of the Constitution knew this very well and consciously tried to incorporate education into the Fundamental Rights and the Directive Principles of the State Policy. Education to them was not only an honor but a need to eliminate poverty, break social relations and to make the country modern and progressive.

Meanwhile, the system of education in India is undergoing historic challenges. The inequalities in access and quality that were left behind by colonial legacies were accompanied by additional roadblocks as caste-based exclusion, gender prejudice, and regional differences.

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How to cite this article:
Patil, K. B. (2025). Safeguarding Democracy through Learning: Challenges in the Indian Constitution and Education. Journal of Research & Development, 17(9(V)), 218–221. https://doi.org/10.5281/zenodo.17746700

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17746700
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Almost three-quarters of a century after independence, these issues remain unresolved in various ways, be it in the digital divide, commercialization of higher education, or the school dropout levels among the disadvantaged groups of people.

Difficulties in Claiming Constitution and Education

Although the Indian Constitution has provided a solid ground on education through the rights provided, inclusiveness, and the state being mandated to uphold learning as a priority, a number of challenges are encountered in the implementation. These problems are not mutually exclusive, but rather interconnected due to the underlying social, economic, political, and cultural problems. In the sections that follow, we have marked out the key difficulties in relating constitutional pledges with the reality on the ground of Indian education.

1. Disparity and Educational Opportunity.

The emerging issue is to provide equal access to education to every citizen as stipulated in Articles 21A and 46 of the Constitution**.**

- Rural vs. Urban Divide: Urban schools (especially the private schools) tend to be better in terms of infrastructure, educational quality, and extracurriculars. On the contrary, the rural schools are plagued by inadequate infrastructure, shortage of teachers, and scanty resources. This inequality does not favor the constitutional promise of equality.
- Economic Inequality: Due to low economic standing, children of the poor families have no other option but to start child labor, without a chance to even get to elementary education. The schemes such as mid-day meals and free textbooks have failed to help overcome the poverty problem.

Scheduled Castes, Scheduled Tribes, and minority groups continue to be marginalized, with high dropout rates, and stigmatized. The worst education indicators reflect in tribal areas in such states as Jharkhand, Chhattisgarh and Odisha.

- **Gender Inequality:** Girls encounter various obstacles and these include early marriage, insecure schools, and sanitation. This usually leads to a high dropout rate especially the secondary and higher education levels.

2. Language Policy Issues

The linguistic diversity in India is a celebrated issue, which poses challenges in education.

- Medium of Instruction: The English and regional languages have always resulted in inequality in a debate. Though children in urban areas are in a better position to access education in English languages, those in rural areas learning in regional languages find it difficult to compete in the education system and employment.
- Three-Language Formula: This formula was introduced to ensure that the region and the nation be integrated, although inconsistently used. Some states as Tamil Nadu do not accept it and others do it in different ways hence creating non uniformity.
- **Learning Outcomes:** It has been discovered that children learn more in their native language at an early age. But the prevalence of English in higher education establishes a disparity between the ideals of inclusivity as enshrined in the constitution and the real opportunities.

3. Conflicts between Federal Structure and Policy

The fact that education is a concurrent subject implies that the Union and State governments make and enforce policies.

- Existing Jurisdictions: Policies defined at the center level tend to be inconsistent with state interests. E.g. centrally sponsored schemes such as the SarvaShikshaAbhiyan had disparate implementation because of the difference in state capabilities.
- **Funding Problems:** Due to weaker financial capacity of states, Article 21A of the constitution poses challenges of fulfilling constitutional obligations in the provision of education, which leads to the provision of unequal opportunities in education in the country.
- **Policy Discontinuity:** There is a lot of political change in terms of education policies. As an illustration, the changes in the focus in vocational education and the general curriculum lead to instability.

4. Commercialization and Privatization of Education

Education is a social good as envisaged in the Constitution, and increasing privatization is threatening this.

- **Increasing Prices:** Universities and private schools are costly and this makes quality education unaffordable to the poor and middle classes. This is a counterpoint of the equality before the law (Article 14).
- **Capitation Fees and Exploitation:** Capitation fees and donation-based admissions are widespread in the private institutions, although they are forbidden by laws.
- **Commercial Attitude:** This is because many private institutions are more concerned with money over education making education a commodity and not a constitutional right.

Journal of Research and Development
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5. Quality of Higher Education

Although India has been increasing system of higher education, quality is a major concern.

- **Faculty Shortage:** Colleges have high rates of vacancies, which are affecting the quality of teaching and research.
- **Obsolete Curriculum:** A lot of the courses are not modified to suit the 21 st century economy resulting in graduates who are unemployable.
- **Lack of Research:** Indian universities do not generate a lot of research as compared to those in other countries. This undermines the constitutional principle of advancing scientific temper (Article 51A).

6. Social Inequalities and Gender.

Discrimination is still a problem to large sections of the society even with constitutional provisions.

- **Caste-Based Exclusion:** This is whereby, in most schools, children of lower castes are segregated in terms of seating, mid-day meals and in other activities.
- **Gender Inequality:** Girls are under social pressures, there is concern of safety and no encouragement to go to higher studies. Although Article 15 (1) outlaws any form of discrimination, the disparity between genders in terms of literacy and enrolment remains.
- **Disabled Students:** Inclusion education is required, but the infrastructure and training of teachers is insufficient to accommodate differently-abled students.

7. Technological Divide

Digital education particularly post-COVID 19 pandemic has increased educational disparities.

- **Infrastructure Inequality:** Rural locations have no internet connectivity, electricity, and digital devices, which deprives millions of students.
- **Prices of gadgets:** Poor families are not always able to afford Smartphones, tablets, and laptops.
- **Teacher Preparedness:** A lot of teachers are not digitally literate and this decreases the effectiveness of online classes.
- **Linguistic and Content Problems:** The majority of digital media is written in English or Hindi, which does not represent the learners of other languages.

8. Gaps in Policies in Implementation.

Progressive policies in countries are not successful due to poor implementation.

- **Right to Education Act (2009):** On the one hand, free and compulsory education is guaranteed by this law but the observance of norms such as pupil-teacher ratio, school building, and the needs of disadvantaged children have poor rates on the other hand.
- **Policy Fatigue:** The excessive number of overlapping schemes and policies waters down attention and causes confusion in the grassroots.
- **Surveillance Systems:** It cannot be easily tracked of actual progress due to lack of sound data collection and independent audits.

Suggestions and Way Forward

In order to close the gap between the ideals of constitution and educational realities, it is necessary to adopt the following measures:

1. Enhancing Education in the Society.

- Increase the amount of budget spending on education (less than 4% of GDP currently) to the recommended 6% of GDP (other commissions).
- Upgrade infrastructure in state schools, such as libraries, laboratories, online classrooms and sanitation installations.
- Hire and educate additional teachers to maintain a good ratio between pupils and teachers.

2. Effective Language Policy

- Adopt the three language formula in a pragmatic manner, whereby regional languages are encouraged at the expense of English where global opportunities are required.
- Create good textbooks and e-resources in local languages to minimize the rural-urban gaps in learning.

3. Regulating Privatization

- Enhance tougher scrutiny of the private institutions to avoid exploitation in terms of capitation fees and donations.
- Introduce subsidies or scholarship programs in order to make the private institutions equitable to the economically weaker segments.

4. Inclusive Education

- Devise special programs of dropout-prone subjects like girls, tribal children, and disabled students.
- Hostel services, transportation and scholarships to the underprivileged populations.

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ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

- Sensitize teachers and administrators to eradicate caste and gender discrimination in the classes.

5. Technological Adoption and Digital Inequality.
- Internet infrastructure expansion to the rural places under the schemes such as BharatNet.
- Offer low-cost tablets or laptops to weaker economically students.
- Provide teacher digital literacy training that will facilitate online learning.

6. Enhancing the Quality of Higher Education.
- Update curricula to emphasize on employability, innovation, and research.
- Encourage university-industry cooperation.
- Enhance accreditation systems in order to uphold quality.

7. Strengthening of judicial and policy.
- There should be more effective systems to check adherence to judicial decisions on education.
- Whenever there are bureaucrats and institutions that are not enforcing the provisions of the constitution, offer accountability structures.

8. Implementation of National Education Policy 2020.
- Make NEP reforms consistent to constitutional objectives of equity and inclusiveness.
- Focus on teacher training, skill building and research orientation.
- Do not ensure NEP increases inequality by favoring the urban and English-speaking elites.

Conclusion

Indian constitution acknowledges education as the most important key to social justice, empowerment, and democracy. Not only does it ratify education as a right but it also imposes moral obligations on state, society, and citizens. Nonetheless, the process of constitutional promise to ground reality has been disordered. Problems of inequality, privatization, gender differences, and the digital divide remain to deny access to good education.

Meanwhile, these challenges should not do away with the progress. There are more schools in the present day with millions of children in them than previously in the past decades and the literacy rates have also increased and there is an increased awareness that education is a right. Nevertheless, success is not just in enrolment but also in fair quality learning.

Going forward, India should invest in enhancing the education of the population, inclusivity, and eliminating digital fissures. Any effective, accessible and just education system will render the constitutional dream of an egalitarian society complete. Education cannot be regarded as a right of a few as it is the right of birth of any citizen.

Therefore, it is not only a legal requirement to make education relevant to the ideals of the constitution but also a national obligation. It is the best guarantee of protecting the democracy in India, empowering people and equipping the country with future challenges.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Constructivist Approaches to Teaching Secularism: Lessons from a Poster Presentation Initiative

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Manuscript ID:
JRD -2025-170956
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 222-224
Sept. 2025

Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

This paper discusses the methods of constructivism that are used in teaching secularism to an undergraduate student on Karmaveer Bhaurao Patil College, Urun-Islampur. The program was based on the constitutional principles of India and included lectures, group discussions, poster-making, and film screening of the article 15. These events, where 120 students participated, enabled inquiry learning, peer learning, as well as critical thinking in modern socio-political issues. The program, based on constructivist pedagogy, allowed the students to rebuild their knowledge on the topic of secularism considering the current social realities including religious polarization, misinformation on social networks, and the issue of tension between communities. The paper to point out is the role of experiential learning in enhancing democratic values, empathy, and critical thinking.

Keywords: *Constructivism, Secularism, Peace Education, Student-Centered Pedagogy, Article 15, Critical Thinking.*

Introduction

India society is experiencing a myriad of complicated issues in the modern age of globalization and high-speed technological progress. Social inequality, discrimination on grounds of caste, religious intolerance, gender injustice, unemployment, violence and environmental crisis are issues that have severely impacted on the social harmony and social peace. Rising tendencies of stress, depression, loss of value attachment and the abuse of social media to propagate divisive ideologies among the youth have also played a role in enhancing instability in the society. It is against this backdrop that higher learning institutions cannot be a mere hub of learning. They have to become active social change workshops. In the current context, colleges and universities have an important role to fulfill not only to teach students the subject content, but also to instill in them the sense of social responsibility, citizenship, gender equality, tolerance, human values, and integration of nations.

Peace Education comes out as one of the greatest demands of modern education in this respect. It is not limited to conflict avoidance or violence rejection; instead, it aims at equipping students with the ability to dialogue, cooperate, empathise, solve problems, balance their emotions, and be socially responsible. In the current hostile social environment, institutions of higher learning should assume the challenge of nurturing a culture of peace amongst the students, thus grooming them to be responsible, peace-loving and constitutionally bound citizens.

The current paper is a report about an initiative that used constructivist approach to teaching to sensitize students on secularism, constitutional literacy and a democratic society. Through the combination of creative expression, dialogue, and real life examples, the initiative provided examples of the transformative power of student-centered learning.

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How to cite this article:
Pardeshi, S. (2025). Constructivist Approaches to Teaching Secularism: Lessons from a Poster Presentation Initiative. Journal of Research & Development, 17(9(V)), 222–224. https://doi.org/10.5281/zenodo.17746726

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17746726
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Constructivist Approach: Idea and Implicability

Constructivist approach to learning operates on the foundation that there is no transfer of knowledge between the teacher and the learner but rather more through the experiences, encounters and reflection of the learner. This method was introduced by educational theorists such as Jean Piaget and Lev Vygotsky, who focus on the idea that learning can be significant when students relate the new knowledge with the knowledge they already have. Learners are highly motivated to challenge, analyze, cooperate, and make a conclusion on real-life contexts other than remembering new information.

The constructivist approach is extremely significant in the field of higher education since it correlates with the necessity to produce critical, responsible, and independent thinkers. As a new adult, college students encounter complicated social and political environments. Constructivist pedagogy provides them with the skill of interpreting these realities, stereotyping, and engaging in democratic dialogue. This method of promoting problem-solving, peer-learning, and reflective thinking not only enhances the learning in subjects but also fosters key life skills, which are empathy, tolerance and civic responsibility. It enables students to be critically reflective on religious and cultural diversity in the teaching of secularism, challenge bigotry, and internalize constitutional values in an experiential way.

Rationale and Significance

The socio-political situation in India is being characterized by discussions concerning the concept of religious identity, freedom, and equality. The examples of dress code scandals (e.g., the hijab row in Karnataka in 2022), the abuse of social media with the promotion of communal misinformation, and the increasing intolerant attitude demonstrate the necessity of incorporating secular education into the environment of higher education.

Constructivist methods are particularly applicable, in this regard, because they:

Promote knowledge creation between students instead of being delivered to them.

Motivate critical thinking through the contextualization of learning in modern problems.

Create a sense of empathy, conversation and shared sense-making.

Objectives of the Study

- To make use of constructivist pedagogy in teaching secularism.
- To facilitate constitutional literacy, including Article 15.
- To establish the collaborative learning process by using creative and dialogic approaches.
- To connect the classroom learning to the existing social reality.

Methodology

The program was undertaken through Community Engagement Program (CEP). It involved four phases:

- **Lecture with an Expert:** The background of secularism and Article 15 was reputed with the guidance of the interactive session conducted by Dr. Seema Pardeshi.
- **Group Discussions:** Students evaluated real life case studies that included discrimination in housing, bias at the workplace, and stereotyping based on religion. They talked about such matters as Karnataka hijab crisis and the digital misinformation movement.
- **Poster-Making:** The students made posters about equality, fraternity as well as secularism in collaboration. Their reflective learning was represented through these visual representations.
- Film Screening & Reflection: The article 15 screening provided an opportunity to get more involved with the problem of caste and equality, and then discuss it critically.
- **Data Collection:** The impact was analyzed by using student reflections, poster contents and feedback forms.

Observations and Findings

The project demonstrated the significant results:

- **Improved Awareness:** Students showed an improved knowledge of Article 15 and how it is applied in real-life situations.
- **Critical Engagement:** The learners interrogated collective stories that they encountered on social media.
- **Collaborative Skills:** Collaboration work improved cooperative learning and tolerance.
- **Creative Reflection:** The Posters presented new relationships among the constitutional values with the contemporary issues.

Sample Student Quotes:

It is only after we talked about it in class that I realized the extent to which misinformation in social media affects our perceptions.

Creating posters made me share my sentiments regarding equality and religion in the society.

This is because the movie got me thinking about the fact that people are still divided by caste and religion.

Pedagogical Implications

The constructivist strategies turn classrooms into active inquiry-reflecting environments. This project demonstrated that: Experiential learning facilitates a more insightful learning on such abstract concepts as secularism.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Associating pedagogy with real life situations enhances relevance and interest of the students. Multimodal expression and analysis is offered in poster-making and films. Teachers are very important because they are facilitators and not transmitters of set knowledge.

Through the constructivist pedagogy, the teachers would be in a position to develop democratic dispositions, resistance to misinformation, and intercultural knowledge.

Conclusion

The poster presentation project proved that complex problems like secularism and peace education could be successfully introduced to students in the constructivist approach. Not only constitutional awareness was increased, but also empathy and collaboration skills were developed because of the combination of discussion, visual expression and reflective dialogue. The project emphasizes the need to integrate such participative system in higher education in order to protect the democratic and secular spirit in India.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Evolving Dimensions of Law and Justice: Navigating Rights, Accountability, Technology, and Environmental Challenges in the 21st Century

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Manuscript ID:
JRD -2025-170957
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 225-228
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The twenty-first century has transformed the landscape of law and justice through expanding human rights discourse, increasing demands for accountability, rapid technological innovation, and urgent environmental challenges. This paper examines how these four dimensions—rights, accountability, technology, and environmental concerns—collectively reshape contemporary legal frameworks. Human rights have evolved beyond classical civil and political liberties to include socio-economic, digital, collective, and intergenerational rights. Accountability now extends not only to states but also to corporations, international institutions, and algorithm-driven technologies. Technological advancements such as artificial intelligence, digital surveillance, and online justice systems both enhance and challenge traditional notions of fairness, autonomy, and legal responsibility. Simultaneously, global environmental crises and climate-related litigation signal the need for ecocentric and intergenerational approaches within law. The paper argues that the relevance of legal systems in the 21st century depends on their ability to integrate these interconnected dimensions in a dynamic, inclusive, and ethically grounded manner. Ultimately, modern law must be capable of addressing complex global realities while promoting justice across social, digital, ecological, and generational boundaries.

Keywords: *Law and Justice; Human Rights; Accountability; Technology; Artificial Intelligence; Data Privacy; Corporate responsibility; Environmental Law; Climate Change; Intergenerational Justice; Rule of Law; Global Governance.*

Introduction

The twenty-first century has seen the radical shift in the world of law and justice. The proliferation of human rights discourse, the growth of demands on accountability throughout the world, the revolutionary force of technology, as well as the existential necessities of environmental sustainability, all transform the normative and institutional grounds of law. Although law has conventionally served as a tool of order, conflict resolution and provision of justice, it is increasingly being invoked to handle matters of international scope, international complexity, and intergenerational impact. Digital privacy and climate lawsuits, corporate oversight and artificial intelligence regulation are only a few examples of the challenges modern legal frameworks are facing that demand theoretical creativity and practical responsiveness.

This longer abstract decides the four dimensions that are interconnected namely rights, accountability, technology, and environmental issues and places them in the context of the changing architecture of law and justice. It contends that the possibility of the law to be relevant in the twenty-first century is determined by how it manages to incorporate all these dimensions in an integrated and dynamic fashion. Whereas rights help to give the moral and normative basis of justice, accountability helps to hold the power, whether it is the state, the corporation, or the technological systems, accountable. Technology in both its disruptive and enabling capacity transforms the ways of governance and access to justice.

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How to cite this article:
Nale, G. S. (2025). Evolving Dimensions of Law and Justice: Navigating Rights, Accountability, Technology, and Environmental Challenges in the 21st Century. Journal of Research & Development, 17(9(V)), 225–228. https://doi.org/10.5281/zenodo.17746759

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17746759
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

In the mean time, environmental issues put law on the edge line of protection of the current societies as well as the future generations. These factors combine to bring out the uncertainty and danger as well as potential of the evolution of law in a time that is characterized by complexity and uncertainty.

Rights in the 21st Century

Justice has traditionally been based on the normative in terms of rights. The twenty-first century has, however, added some new dimensions to the discourse of rights. Classical civil and political rights, including the freedom of expression and due process, and equality before the law, are still important but are being augmented by socio-economic, cultural, and digital rights.

Expansion of Human Rights

The identification of socio-economic rights, including the right to health, education, housing, and water has transformed the legal systems into minimalist legal commitments towards broader ones. Socio-economic entitlements have been understood by courts worldwide, including constitutional courts in South Africa, India and Latin America, as a justiciable right, and indicate that law can be a distributive justice impetus.

Electronic and Informational Rights

The digital sphere, perhaps, is the most dramatic in its growth of the rights discourse. The right to privacy of information, equity in algorithms, right to forget, and non-digital surveillance are now accepted as the main principles of human dignity in the information society. As the sphere of artificial intelligence (AI) and big data expands, new types of inequality and exclusion are created, which are sometimes encoded into technological systems themselves. The jurisprudence of rights needs to develop to guard not just the power of the state but also the dominance of corporations on data and digital infrastructures as well.

Collective and Intergenerational rights

In addition to personal rights, the modern discussion focuses on the collective and intergenerational rights. The rights of indigenous peoples, the protection of cultural heritage, and intergenerational equity in climate litigation are the drivers explaining the necessity to consider rights as a forward-thinking construct and inclusive. The inclusion of the right to a healthy environment in the lists of human rights by the United Nations human rights council is an example of the transition to ecological and futuristic rights paradigms.

Responsibility and Accountability

There is no accountability in the law and justice. In the twenty-first century, accountability has to be seen in the pluralistic sense of that term, which encompasses not just the states, but also corporations and international institutions and emerging technologies.

State Accountability

The emergence of authoritarian politics, democratic retrogression and the oppression of human rights by regimes underscores the relevance of constitutional checks and balances and judicial review and transparency measures. The international law is also important in the responsibility of the states that commit war crimes, aggression, and humanitarian violations.

Corporate Accountability

The new global companies have gained the powers that resemble those of states. The cross-national nature of technology corporations, extractives, and monetary participants poses the issue of company accountability towards human rights and ecological damages. The development of the UN Guiding Principles on Business and Human Rights, the adoption of laws in Europe requiring human rights due diligence, and climate-related litigation against fossil fuel companies can be viewed as examples of how law can be modified to hold non-governmental actors to account.

International and Corporate Responsibility

The institutions like the United Nations, World Bank, and World Trade Organization do influence the global norms but they otherwise tend to be criticized as having democratic deficit and unaccountability. Reform of the international organizations has been called out to indicate the necessity to promote legitimacy and transparency in the global governance structures.

Algorithmic Accountability

The emergence of the AI-generated decision-making process in policing, jobs, and credit distribution highlights the importance of the algorithmic accountability. Biased, transparent, explainable, and liable questions are never resolved, and new laws, which combine technologies and ethics, are needed.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Technology and Law

Technology is not only a transformative possibility but also a challenge of massive proportions to the order of law.

AI and Automation in Law

Artificial intelligence applications are already transforming the field of law, both in the predictive analysis of litigation cases and in automated contract analysis and dispute resolution systems. These innovations are efficient but they pertain to moral issues of fairness, accountability, and deskilling of human lawyers.

Digital Sovereignty and Cybersecurity

With the states struggling with cyber warfare, disinformation campaigns, and digital espionage, the legal framework has to evolve to defend sovereignty on the online front. International law is not able to control the activities in the cyberspace and has loopholes that expose states and individuals to damages.

Access to Justice

Technology is another tool of inclusion. Online courts, online dispute resolution, and online legal assistance services improve the access to justice among the marginalized groups. Nevertheless, digital inequalities (grounded in geography, income, and literacy) could become more detrimental to inequality unless mitigated with the incorporation of inclusive legal design.

Ethical Challenges

The issue of technology begs some of the most basic questions regarding the connection between law and morality. Should the legal personhood of the robot or the AI be granted? What is the way to split liability when it comes to autonomous decision-making? The dilemmas depicted above show that technology is not only confronting the existing law but is also transforming the very shapes of legal subjectivity and responsibility.

Environmental Problems and Law Regulations

The environmental crisis is perhaps the most urgent outpost of law and justice in the twenty-first century.

The Relationship between Climate Change and International Law.

Climate change is not only a scientific fact, but also a legal problem. The Paris Agreement is indicative of a combined endeavor but the non-binding status and poor enforcement of the agreement echo the constraints of the international law in dealing with global environmental issues. Courts are however intervening more and more as with cases like Urgenda v. Netherlands and young-led climate litigations worldwide which required more action by the state.

Environmental Justice

The vulnerable populations bear the brunt of environmental damages, feelings of injustice, equity, and human rights are at stake. Environmental and social justice should be incorporated into the legal frameworks to make sure that the climate transitions do not reinforce the inequalities.

Intergenerational Perspectives and Ecocentric Perspectives.

The conventional legal systems give importance to human-based rights, but ecological jurisprudence suggests that nature has the right to rights as well. Ecocentric law is seen through the example of countries like Ecuador and New Zealand that now give legal personhood to rivers and ecosystems.

Joining Rights, Accountability, Technology and Environment.

Although each of these dimensions right, accountability, technology, and environment comes with its own particular challenges, their interrelation is what the modern-day legal order turns out to be. The digital rights overlap with corporate responsibility in how tech companies are governed. Environmental justice makes a connection between human rights and intergenerational accountability. An example of rights, accountability, and technological regulation is AI regulation. These cannot be addressed as isolated issues anymore by law, and a comprehensive strategy is necessary to come up with sustainable and fair law systems.

Conclusion

The law and justice in the twenty-first century must evolve with respect to its capacity to respond to a dynamic constellation of challenges and opportunities. Rights, which used to be in the civil-political location, have gone to digital, socio-economic and intergenerational places. Responsibility, which was previously mainly aimed at states, should be focused on corporations, international organizations, and even algorithms. Disruptive and enabling technology is something that requires a legal framework addressing the issues of innovation and justice. The ecological crisis highlights the need to shift the moral horizon of the law to incorporate the future generations and non-human nature.

The interaction between these dimensions points to the fact that law in the twenty first century is not only responsive, but rather constitutive: it is a creation and product of the global changes that we face today. To provide justice, the legal systems must be inclusive, accountable, technologically fluent and ecologically sensitive. The future of law is the complexity, building resilience, and investing in the universal quest of justice regardless of geographical, social, and generational boundaries.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Gender, Identity, and Resistance: Draupadi's Reimagining in The Palace of Illusions

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Manuscript ID:
JRD -2025-170958
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 229-231
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

Human identities are the subject of constant change in the contemporary world, and this fact opens more opportunities to self-express and understand themselves. Old gender roles have been changed considerably whereby they are not marginal positions as they were before. The need to challenge social limits has become a critical tool in challenging patriarchal rules and standards, as a result of which the outdated practices are gradually being replaced with the progressive ones. Strict classification like caste and gender is becoming a thing of the past with men and women rebelling against forced roles and demanding to be more independent. Women, who were viewed as vulnerable and frail, now define their independence, acquire new roles, and pursue directions caused by their will and not tradition. Traditionally, there were intense gender expectations that limited individual freedom and any form of deviations was normally labeled as rebellion.

Chitra Banerjee Divakaruni is a feminist activist writer who expresses her opinions about the injustices of the Indian patriarchy and lays stress on the plight of women seeking dignity and equality. She reveals how society imprisons women into their homes and their expected roles, and her female protagonists do not conform to the norms, they are the representatives of the so-called New Women who shape their identity and their destinies themselves. Her male characters as well are too often opposed to discrimination, which asserts equality in the sex. Even though the narratives are set in the United States, Divakaruni can always touch upon real aspects of Indian women experiences and address their problems, marriage, parenthood, marginalization, class, and self-realization. She depicts women in various roles to show how women can break the traditional boundaries. This paper will analyze the book The Palace of Illusions by Divakaruni (2008) with the characters that do not conform to their designated roles in favor of inclusivity. It examines the reasons why people break the rules, why they want to break them and the consequences they endure, the origin of their revolutionary nature, the limitations that are created by tradition and how they cut new ways through. By so doing, it points out how the work by Divakaruni not only represents the change in society, but also the claim of individual free will.

Keywords: *Feminism, Gender Roles, Myth Rewriting, Identity.*

Introduction

The main keywords include Feminism, Gender Roles, Myth Rewriting, Identity.

During the past periods, several people especially women were deprived of the opportunity to speak, write, or make personal wishes. In response to this silencing, intellectual political movements like feminism, gender studies, postcolonial studies and identity politics have arisen which give voice to previously marginalized groups. Patriarchy is at the core of this marginalization as it has traditionally promoted inequality by instilling in people the idea that women are lesser than men. Since the sixteenth century, however, women authors started to break these frames, protesting against the male hegemony. Not only did confinement within the strict social expectations limit freedom, but enforced upon women rules that banned individuality. This hegemony was frequently followed by violence and psychological oppression the consequences of which are still evident even nowadays.

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How to cite this article:
Pawar, R. S. (2025). Gender, Identity, and Resistance: Draupadi's Reimagining in The Palace of Illusions. Journal of Research & Development, 17(9(V)), 229–231. https://doi.org/10.5281/zenodo.17746792

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17746792
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The opposition and defiance, thus, has always been a core to the breaking of these chains and attainment of liberation.

The retelling of Draupadi by Mahasweta Devi is not similar to the tone, attention, and implicit political involvement of the story retelling by Chitra Banerjee Divakaruni. Whereas Divakaruni places Draupadi in the mythology of Mahabharata, using a first-person lyrical account to restore her a lost voice and is turning Draupadi into a feminist heroine, Devi introduces her through a socio-political commentary and realism. Devi underlines the material aspects of contemporary oppression by gender, caste, and class and portrays Draupadi as a vindictive symbol of protest against the contemporary injustices. Unlike the mythic reinterpretation that Divakaruni offers, which places emphasis on personal change and self-recognition, Devi wedges Draupadi to the present as she makes clear comparisons between the ancient myth and the current experiences of oppressed groups. Finally, Devi changes the focus of re-enchanted past to reveal present-day exploitation and institutional injustices within the society.

Draupadi, in The Palace of Illusions, is not only a victim who had gone through the silence but she is a vibrant character of the feminist uprising. The feminist approach of Divakaruni re-creates Draupadi as a woman, who questions and disregards the limiting edges of a male-dominated order. Instead of being immersed in the tradition, she is independent and uses political dialogue, advises and challenges her husbands and claims her right to self-determination. Her shrewdness and self-assured moves tear the stereotypes of passivity that women traditionally were subjected to. Divakaruni allows Draupadi to retell her narrative with foregrounding the female view, which places the emphasis on objectification on experience and agency. Here, Draupadi becomes more than the gender roles she once argues, takes back the agency and challenges the male gaze that defined her. Her opposition is not only transforming her own identity; it is directly challenging and disruptive to patriarchal systems, which is able to create a feminist reevaluation of settled gender conventions.

Since her childhood Draupadi has been influenced by the indifference of her life and the weight of her fate, the dramatic birth of the child, who was the unwanted one, placed her into the position of the instrument of the history. But it is this otherness that gives her personal energy. Her disenfranchisement of the normative roles becomes an act of continued resistance as she grows up. Draupadi is challenging the patriarchal boundaries whether she has to face the expectations of her family, whether she is questioning the fairness of her being forcibly married polyandrously or whether she is taking active part in the political and social discussions. Her relationships with such characters as Krishna and Kunti are yet another sign of her disagreement with the system that is created to manipulate and control her. As a result of such challenges, Draupadi becomes stronger not in obedience but in fighting back, which is why she has always been a precursor in defiance against the oppressive nature of patriarchy.

Nobody informs a woman of her value. It is up to her to find out on her own.

To conclude, it must be noted that the literary works of Virginia Woolf and Elizabeth Beaton are consistently focused on narratives and character development. <|human|>In conclusion it should be pointed out that the novels of Virginia Woolf and Elizabeth Beaton are always centered around the character and storyline.

The story is a strong message of feminist opposition and empowerment. It challenges patriarchal rules which make women narrow-mindedly tied up in their strictly defined position, pushing them to go beyond the social standards and demand their value. In its essence, it promotes self-discovery and agency, urging women to refuse to be validated by other people but as intrinsically valuable. This kind of resistance can be viewed as the rebellion against the structure in which female freedom is restricted. Empowerment, though, is not presented as a struggle all on the outside, but also a journey of inner growth and self-realization. Women are advised to rediscover their voices, fight internalized oppression and construct their destinies. In this sense, the rebellion of Draupadi goes beyond personal demand, -it is a symbol of power and hope to other women. Her fight against unreasonable social codes is shown as her personal struggle, as a part of a wider general struggle against injustice. Her suffering and shame at the hands of silent traditions are diverted into the fuel to her shift of becoming a strong symbol of resistance. Divakaruni explains that rebellion is an individual decision, as well as mass requirement to resist profound social and gender inequalities. The experience of Draupadi, therefore, makes readers return to the ancient myths in a modern view, where people discuss the issues of empowerment and female identity. Her life example shows that the statement of independence can trigger the idea of a fairer and freer society.

With a reconstruction of the Mahabharata as told by Draupadi, Divakaruni disrupts patriarchy and reinstates narrative space by putting back into focus the voices of women. Objectification and marginalization of women are reversed in The Palace of Illusions, where Draupadi becomes an active subject and she does not want to follow male traditions. Her political speech, her refusal to conform to the accepted gender roles, and her demand on self-determination reveal and challenge the hidden assumptions in culture on which patriarchy is founded.

I want to live my own life, not bound by the principles of being a daughter, a wife, a queen. A world, where I would have been able to determine my life.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

The quote shows how Draupadi longs to be free and to have power over her life besides the limiting roles that society places upon women. In a world where the role of women is mostly confined to daughter, wife or queen, their freedom of choice is highly limited. The choice that Draupadi takes in order to decide her own fate is turned into the feminist protest against conventional gender norms.

The character of Draupadi as described by Divakaruni in The Palace of Illusions follows a deep-seated path of a voice of silence to that of self-affirmation that breaks the traditional ideological views of patriarchy and gender roles of silence. By employing the first person narration, Divakaruni reinstates in Draupadi the voice and agency that women lack in the traditional tellings of the epics, making her more of an active heroine, rather than the objectified and peripheral woman. Unlike in the traditional Mahabharata where female characters are frequently passive and obedient, and their identities are shaped and dulled by the male-driven stories, the reimbursement offered by Divakaruni is a foreground into the inner world Draupadi desires, frustrates and wants, questioning the conventions that previously rendered her silent. Additionally, the re-telling changes the male gaze, which in its hegemonic exploitation of the female body has been used to objectify women, into a liberation gaze by women that assert resilience, agency, and self-determination. Turning the focal point of the narrative to Draupadi allows the novel to turn her experiences in her own life into a wider representation of gender inequality, urging the readers to re-evaluate and restructure a more profound patriarchal hierarchy. By so doing, Divakaruni not only reinvents a classic figure, but also makes a topical comment as to why feminist re-examination of the myth remains an issue in the ancient and modern worlds.

Conclusion:

To sum up, the present analysis shows that the characters of the chosen novel break the existing stereotypes and build new models of identity that break the established social structures. These radical characters are against the social norms professed to restrain and devalue their true beings, but rather they are demonstrating a revolutionary kind of spirit by creating new avenues of equality, freedom, dignity and independence. Their rebellion does not only transform their personal stories, but also brings more social development. Finally, feminism develops as one of the important movements that are determined to destroy sexist exploitation and oppression, as well as aiming at attaining true equality between sexes in terms of law and practice. This reading indicates the transformative nature of such narratives to further feminist discourse and cause social change.

Divakaruni redefines Draupadi as an active heroine who reinvents her agency and voice and turns her into a symbol of endurance and power instead of a marginalised, objectified character. She turns the traditionally silent role of women in the epic into a power voice through the first-person perspective and gives Draupadi the chance to be an active participant in the politics of her era and oppose gender stereotypes. Her personal fight reveals the very patriarchal order of her surrounding, and the story turns to a male point of view based on oppression to the female point of view that is filled with liberation. By so doing, this retelling of an erasure of women and their inner life and possibilities by history makes the transformation of Draupadi an interesting piece of feminist challenge.

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Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Original Article

Towards Sustainable Agriculture: The Role of Solar Water Pumps in Kolhapur District

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Manuscript ID:
JRD -2025-170959
ISSN: 2230-9578
Volume 17
Issue 9 (V)
Pp. 232-235
Sept. 2025
Submitted:15 Aug. 2025
Revised: 25 Aug. 2025
Accepted: 10 Sept. 2025
Published: 30 Sept. 2025

Abstract

The Indian economy depends on agriculture. Most of the agriculture depends on rain. Agriculture is impossible without water. A large amount of diesel and electricity is being used to water agriculture. The cost of this is high. In this research paper, the importance of solar water pumps in agricultural development in Kolhapur district has been specially mentioned. Due to this solar water pump, agricultural development is increasing and agricultural production is also increasing. This is also helping to maintain the sustainability of agriculture. Compared to diesel pumps, solar water pump systems are also economically affordable for farmers. The state government is providing 90 to 95 percent subsidy for solar pumps. Secondary data has been used to analyze solar water pumps in Kolhapur district. The data of solar pumps in Kolhapur district from 2018 to 2024 has been analyzed. A detailed analysis of the changes and benefits that occurred before and after the installation of solar pumps has also been done in this study. Solar pumps have increased the annual income of farmers and helped in sustainable agriculture. At the same time, the role of solar water pumps has become important for a clean and pollution-free environment.

Keywords: *Sustainable agriculture, Solar water pumps, Kolhapur district, Agricultural development, Irrigation efficiency, Renewable energy, Solar energy.*

Introduction:

Agriculture is the backbone of the Indian economy. 70 percent of the people in India live in rural areas. Their main occupation is agriculture. But agriculture is impossible without water. Irrigation is important for agricultural productivity. But the traditional irrigation system depends on electricity or diesel. Due to this, its cost is also high. Also, there are many problems in the traditional irrigation system. Therefore, the solution to this is a solar water pump based on solar energy, which is a sustainable and modern technology. Solar energy is a source of non-traditional energy. This energy is never-ending. This research paper provides information about how solar water pumps have been very useful for farmers and how they have affected agriculture in rural areas by using solar energy.

Solar water pumps are used to pump water by making maximum use of sunlight. That is why fuel and electricity are saved and there is no pollution. Proper use of solar water pumps helps in increasing agricultural production by making efficient use of water. This paper has studied the working principle of solar water pumps, the benefits of solar water pumps, economic development and environmental impact. It has also analyzed how the use of solar water pumps has contributed to the development of agriculture. This technology also helps in reducing carbon emissions. Today, due to the subsidies received from the government, farmers are being motivated to use solar water pumps in their fields. This improves the irrigation system. Also, with the increase in agricultural production, agriculture is becoming more sustainable.

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How to cite this article:
Sonure, R. M. (2025). Towards Sustainable Agriculture: The Role of Solar Water Pumps in Kolhapur District. Journal of Research & Development, 17(9(V)), 232–235. https://doi.org/10.5281/zenodo.17759319

Quick Response Code:
Website: https://jrdrvb.org/
DOI: 10.5281/zenodo.17759319
OPEN ACCESS

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Need:

Since the Indian economy is agrarian, the main occupation of the people of India is agriculture. But agriculture is impossible without water. Water is very important for agriculture. Electricity and diesel are being used in large quantities to pump out the available water. The cost of this is huge. Irregular electricity supply in rural areas, load shedding, rising diesel prices and pollution are creating many problems for farmers along with additional costs. This has created the need for an environmentally friendly, cheap and sustainable alternative as a solution to this problem. Solar water pumps have become an effective tool for all these problems. Solar Since the pump runs on solar energy, it does not require electricity or fuel. Similarly, solar water pumps do not cause any pollution.

'Moving towards sustainable agriculture: The role of solar water pumps in Kolhapur district'. This research will make farmers aware of the benefits of solar water pumps, as well as guide them on how to use them effectively. Solar water pumps can increase agricultural production, develop agriculture, improve water management, promote a pollution-free system and promote sustainable development of agriculture. Therefore, it is necessary to conduct research on this topic.

Objectives:

1 To study the working principle of solar water pumps.
2 To examine the economic benefits of solar water pumps to farmers.
3 To study the development of agriculture due to solar water pumps.
4 To study the environmental impacts of solar water systems.
5 To identify the problems faced by farmers and suggest policy solutions to them.

Meaning and structure of solar water pump:

Meaning:

Solar water pump is a system that uses solar energy to pump water. In this technology, electricity is generated through a solar panel. And it provides energy to the motor, so water can be pumped through a solar water pump, saving on the cost of diesel or traditional electricity.

Structure / structure of solar water pump:

A solar water pump is made up of four main components.
1 Solar panel - Solar panels absorb energy from sunlight and convert it into electrical energy. Monocrystalline and polycrystalline panels are used in this.
2 Control / Inverter - The controller controls the electricity generated and converts DC into AC through the inverter.
3 DC/AC motor - The DC/AC motor drives the pump using electricity.
4 Pump unit - Water is lifted by the pump unit with the help of a motor. In this, a submersible pump is used to lift water from underground and a centrifugal pump is used to lift water from above ground.

Working principle:-

Sunlight- Solar panel- Electricity generation- Motor-Pump-Water distribution.
The photons in the sun are absorbed by the solar panel and electricity is generated by photovoltaic (PV). The motor converts the electrical energy into mechanical energy due to the electricity. Water is lifted by the pump and used for agriculture.

Form:-

1. Low capacity:- For small areas, a 1-2 HP capacity pump is used.
2. Medium capacity:- A 3-5 HP capacity pump is a medium-sized pump used for agriculture.
3. High capacity:- Where there is a lot of wet land, a 6-10 HP high capacity pump is used.

Water source:

1. Borewell:- Solar water pumps are used to pump water deep underground.
2. River:- Water is supplied to agriculture by pumping directly from the river.
3. Well:- A solar water pump is used to lift water near the surface.

Research Methods:-

1. Research Type:- Quantitative research method has been selected for this study. The study has been analyzed in that regard with the help of statistics, tables and graphs.
2. Data:- This research paper is completely based on secondary data. This paper is based on government reports MNRE, PM-KUSUM scheme report, annual report of MSEDCL etc.
3. Study Area:- Kolhapur district has been selected for this research paper. The geographical location of Kolhapur district is latitude 15 degrees 43 to 17 north and longitude 73 degrees 40 to 74 degrees 42 east. The total area of Kolhapur district is 7685 sq km. The climate of this district is generally tropical humid and the annual rainfall is 1000 to 2500 mm. The population is about 39 lakhs (2021 estimate). Sugarcane, rice, maize, turmeric and vegetables are the main crops of Kolhapur district. (District Annual Report 2023, & Maharashtra agriculture department, 2024).

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Period:- The period 2018 to 2024 has been selected for this study. Secondary data available for this period has been obtained.

Analysis Method:- What has changed since the installation of solar pumps? For example, a comparative study of production growth, sustainable agriculture, expenditure, etc. has been done. Tables, charts and graphs of the data required for this have been drawn. Percentages are also included.

4. Data Presentation and Analysis:-

1. Year-wise Number of Solar Pumps in Kolhapur District

Yearly	Solar Pumps Installed (Number)	Annual Growth (%)
2018	520	-
2019	780	50
2020	1250	60
2021	2050	64
2022	3200	56
2023	4850	51
2024	6100	25

(Source: District Agriculture Office, Kolhapur 2024)

2. Comparison of the situation before and after installation of solar pumps

Element	Traditional Pump	Solar Pump
Energy Cost	Rs 18,000 / Year	Rs 6300 / Year
Crop Production	24 quintals / Acre	29 quintals / Acre
Water Pumping Capacity	1800 L./ Hour	2,200l./hr.
Carbon Emission	1.8 Ton/Year	0 Ton/Year

(**Source:**- District Agriculture Office, Kolhapur)

Main Results of Kolhapur District

● Increase in Irrigation Capacity Based on Solar Energy:- Based on the Earth Journalism Network report, a 4.4 MW capacity solar feeder has been installed on 18 acres of Gram Panchayat land in Hatkanangle taluka on 4 August 2023. As a result, 3000 acres of arable land has come under irrigation. As a result, it has become easier for farmers to water their crops as they get regular electricity during the day.

● Energy Saving and Cost Reduction:- Under the "Magel Aa Saur Krishi Pump Yojana", one lakh solar agricultural pumps have been installed in Maharashtra so far. Their total solar capacity is 270 MW, which saves 270 MW of electricity. Farmers also get 90% subsidy from the government on this.

● Production and Diversity:- Based on the Ymer Digital Journal, Sustainable Agriculture Index (SAI) of Kolhapur district It has come out to be 0.462. Which includes factors such as ecological security, economic efficiency and social equity.

● Carbon emission reduction: - Installing solar pumps in the fields by farmers helps in reducing carbon dioxide emissions. Compared to diesel pumps, solar pumps are pollution-free and environmentally friendly.

● Economic and social impact: - The government provides 90% subsidy to farmers for solar pumps, which reduces the financial burden on farmers, thus benefiting them financially and making them self-reliant.

Conclusion: -

Solar energy-based irrigation system has given a boost to sustainable agriculture in Kolhapur district. Positive results have been seen in terms of increase in agricultural production, energy saving and environmental protection, etc.

Based on The Times of India,

Farmers get 90 percent subsidy under the "Solar Agricultural Pump on Demand" scheme. Due to this, fuel and electricity costs have been reduced and farmers have benefited by saving money.

Due to the solar feeders installed in Kolhapur, farmers can use solar pumps regularly throughout the day. Can be operated. The availability of an independent electricity system for irrigation has brought stability to agriculture.

Since the solar pump is mainly based on solar energy, the consumption of electricity has decreased. This has reduced the emission of greenhouse gases and helped to keep the environment pollution-free and clean.

Journal of Research and Development
A Multidisciplinary International Level Referred and Double Blind Peer Reviewed, Open Access
ISSN : 2230-9578 | Website: https://jrdrvb.org Volume-17, Issue-9(V)| September 2025

Recommendations:-

- Use of drip and sprinkler irrigation along with the use of solar pumps to save water.
- Provide education and training to farmers for the maintenance and repair of solar pumps.
- Provide information about the entire scheme to farmers in rural areas regarding the PM - KUSUM scheme.

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